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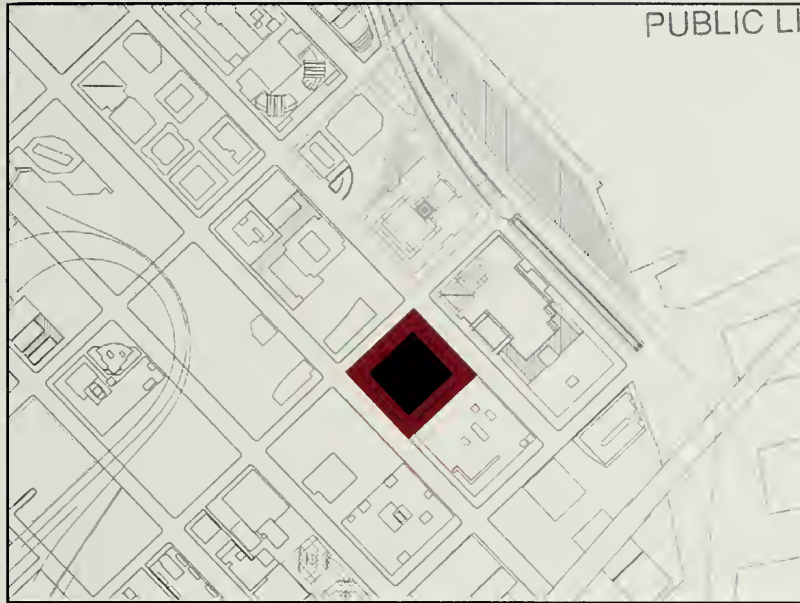
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ENVIRONMENTAL IMPACT REPORT



300 SPEAR STREET

SAN FRANCISCO PLANNING DEPARTMENT
2000.1090E

STATE CLEARINGHOUSE NO. 2001072091

DRAFT EIR PUBLICATION DATE:
SEPTEMBER 14, 2002

DRAFT EIR PUBLIC HEARING DATE:
NOVEMBER 26, 2002

DRAFT EIR PUBLIC COMMENT PERIOD:
SEPTEMBER 14 TO DECEMBER 2, 2002

FINAL EIR CERTIFICATION DATE:
SEPTEMBER 4, 2003

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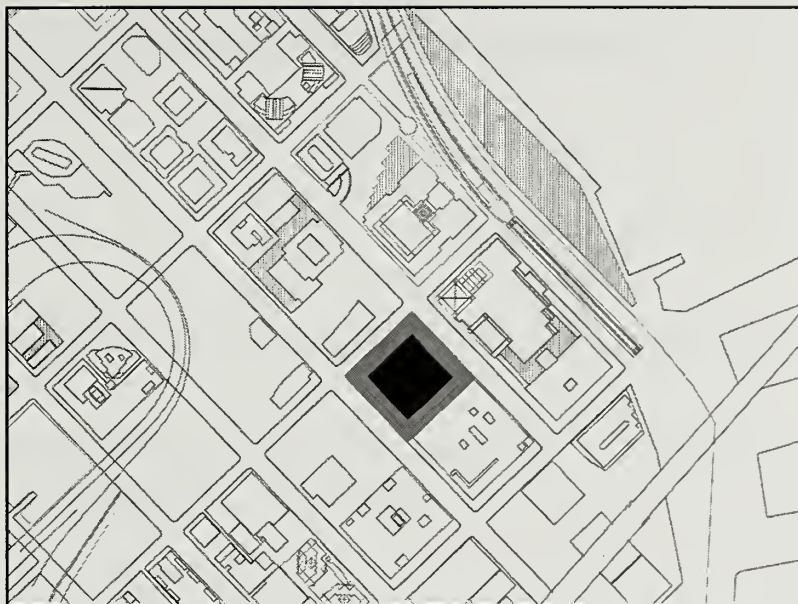


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300 SPEAR STREET

FINAL ENVIRONMENTAL IMPACT REPORT

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SEPTEMBER 4, 2003

● Indicates material that is new or has been revised since publication of the Draft EIR.

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● BOARD OF SUPERVISORS MOTION AFFIRMING CERTIFICATION

FILE NO. 031632

MOTION NO. M03-195

1 [Affirm certification of the final environmental impact report for the 300 Spear Street Project.]

2
3 **Motion affirming the Planning Commission certification of the final environmental**
4 **impact report for the 300 Spear Street Project.**

5
6 WHEREAS, The project sponsor for a residential development at 300 Spear Street,
7 Assessor's Block 3746, Lot 1 and Assessor's Block 3745, Lots 1 and 8 (the "Project"),
8 submitted its application for environmental review of the Project to the San Francisco Planning
9 Department (the "Department"); and

10 WHEREAS, The Department created City Planning File No. 2000.1090E, subsequently
11 determined that an environmental impact report was required for the Project, and provided
12 public notice of that determination by publication in a newspaper of general circulation on July
13 21, 2001; and

14 WHEREAS, On September 14, 2002, the Department published a draft environmental
15 impact report (the "DEIR") (State Clearinghouse Number 2001072091) and provided notice of
16 the availability of the document for public review and comment. A copy of the DEIR is on file
17 with the Clerk of the Board of Supervisors in File No. 031631; and

18 WHEREAS, On November 26, 2002, the Planning Commission (the "Commission")
19 held a duly noticed public hearing on the DEIR; and

20 WHEREAS, On December 2, 2002, the public comment period on the DEIR ended;
21 and

22 WHEREAS, On June 9, 2003, the Department published a "Draft Summary of
23 Comments and Responses" on the DEIR and distributed such document to the Commission
24 and to all parties who commented on the DEIR. A copy of said document is on file with the
25 Clerk of the Board of Supervisors in File No. 031631; and

Clerk of the Board
BOARD OF SUPERVISORS

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33-21031632A0 000

Board of Supervisors Motion Affirming Certification

1 WHEREAS, On June 26, 2003 and September 4, 2003, the Commission, at a duly
2 noticed public hearing, considered the certification of the final environmental impact report
3 (the "FEIR"), which consists of the DEIR, the Draft Summary of Comments and Responses,
4 and related documents; and

5 WHEREAS, On September 4, 2003, in Motion No. 16643, the Commission certified the
6 FEIR finding that the contents of the FEIR and the procedures through which it was prepared,
7 publicized, and reviewed complied with the provisions of the California Environmental Quality
8 Act (Cal. Public Resources Code sections 21000 et seq., hereinafter "CEQA"), the State
9 CEQA Guidelines (Cal. Code of Regulations Title 14, sections 15000 et seq., hereinafter
10 "CEQA Guidelines") and Chapter 31 of the San Francisco Administrative Code ("Chapter 31");
11 and

12 WHEREAS, By said Motion No. 16643, the Commission found the FEIR reflected its
13 independent judgment and analysis and was adequate, accurate, and objective, and certified
14 the FEIR in compliance with CEQA, the State CEQA Guidelines, and Chapter 31. Said
15 Motion is on file with the Clerk of the Board in File No. 031631 and is incorporated by
16 reference herein; and

17 WHEREAS, By letter to the Clerk of the Board of Supervisors dated September 23,
18 2003, Sue C. Hestor, on behalf of the Rincon Hill Residents Association and Baycrest Towers
19 Residential Association, filed a timely appeal of the FEIR certification to the Board of
20 Supervisors; and

21 WHEREAS, On October 21, 2003, this Board held a duly noticed public hearing to
22 consider the appeal of the FEIR certification; and

23 WHEREAS, This Board has reviewed and considered the FEIR and heard testimony
24 and received public comment regarding the adequacy of this document; and
25

Clerk of the Board
BOARD OF SUPERVISORS

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Board of Supervisors Motion Affirming Certification

1 WHEREAS, The FEIR files and all correspondence and other documents have been
2 made available for review by this Board and the public. These files are available for public
3 review by appointment at the Planning Department offices at 1660 Mission Street and are
4 made part of the record before this Board by reference herein; and

5 WHEREAS, Since the Planning Commission action on the FEIR, there is no new
6 information of significance that would require a substantial revision to the FEIR and
7 necessitate recirculation of said document pursuant to CEQA Guideline section 15088.5; now,
8 therefore, be it

9 MOVED, That based on substantial evidence in light of the whole record, this Board of
10 Supervisors finds that: 1) the FEIR reflects its independent judgment and analysis and is
11 adequate, accurate, and objective; 2) the FEIR's conclusions are correct; and 3) the findings
12 contained in the Planning Commission certification are correct; and this Board hereby affirms
13 the decision of the Planning Commission in its Motion No. 16643 to certify the FEIR in
14 compliance with CEQA, the State CEQA Guidelines, and Chapter 31, and hereby adopts the
15 findings contained in Planning Commission Motion No. 16643.

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Clerk of the Board
BOARD OF SUPERVISORS

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10/16/2003

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Board of Supervisors Motion Affirming Certification



City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 031632

Date Passed: November 18, 2003

Motion affirming the Planning Commission certification of the final environmental impact report for the 300 Spear Street Project.

October 21, 2003 Board of Supervisors — CONTINUED

Ayes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin

Absent: 4 - Ammiano, Daly, McGoldrick, Sandoval

November 18, 2003 Board of Supervisors — APPROVED

Ayes: 8 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval


Noes: 2 - Daly, Peskin

Excused: 1 - Ammiano

Board of Supervisors Motion Affirming Certification

File No. 031632

I hereby certify that the foregoing Motion
was APPROVED on November 18, 2003 by
the Board of Supervisors of the City and
County of San Francisco.



for Gloria L. Young
Clerk of the Board

● PLANNING COMMISSION CERTIFICATION MOTION

File No: 2000.1090E
300 Spear Street Project
Assessor's Block 3746, Lot 1
Assessor's Block 3745, Lots 1 and 8

SAN FRANCISCO
CITY PLANNING COMMISSION
MOTION NO. 16643

**ADOPTING FINDINGS RELATED TO THE CERTIFICATION OF A FINAL
ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED
300 SPEAR STREET PROJECT**

MOVED, That the San Francisco Planning Commission (hereinafter "Commission") hereby CERTIFIES the Final Environmental Impact Report identified as case file No. 2000.1090E, 300 Spear Street (hereinafter "Project") based upon the following findings:

- 1) The City and County of San Francisco, acting through the Planning Department (hereinafter "Department") fulfilled all procedural requirements of the California Environmental Quality Act (Cal. Pub. Res. Code Section 21000 *et seq.*, hereinafter "CEQA"), the State CEQA Guidelines (Cal. Admin. Code Title 14, Section 15000 *et seq.*, hereinafter "CEQA Guidelines," and Chapter 31 of the San Francisco Administrative Code (hereinafter "Chapter 31").
 - a. The Department determined that an Environmental Impact Report (hereinafter "EIR") was required and provided public notice of that determination by publication in a newspaper of general circulation on July 21, 2001.
 - b. September 14, 2002, the Department published the Draft Environmental Impact Report (hereinafter "DEIR") and provided public notice in a newspaper of general circulation of the availability of the DEIR for public review and comment and of the date and time of the Planning Commission public hearing on the DEIR; this notice was mailed to the Department's list of persons requesting such notice.
 - c. Notices of Availability of the DEIR and of the date and time of the public hearing were posted near the project site on September 14, 2002.
 - d. On September 13, 2002, copies of the DEIR were delivered to the State Clearinghouse for distribution to government agencies. On September 14, 2002, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies.
 - e. Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 13, 2002.

Planning Commission

File No: 2000.1090E
300 Spear Street Project
Assessor's Block 3746, Lot 1
Assessor's Block 3745, Lots 1 and 8

- 2) The Commission held a duly advertised public hearing on said DEIR on November 26, 2002 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on December 2, 2002.
- 3) The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a "Comments and Responses," document published on June 9, 2003, was distributed to the Commission and to all parties who commented on the DEIR, and was available to others upon request at Department offices.
- 4) A Final Environmental Impact Report (hereinafter "FEIR") has been prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.
- 5) Project Environmental Impact Report files have been made available for review by the Commission and the public. These files are available for public review by appointment at the Department offices at 1660 Mission Street, and are part of the record before the Commission.
- 6) On June 26, 2003 and September 4, 2003, the Commission reviewed and considered the FEIR and hereby does find that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed comply with the provisions of CEQA, the CEQA guidelines and Chapter 31 of the San Francisco Administrative Code.
- 7) The Planning Commission hereby does find that the FEIR concerning File No. 2000.1090E: 300 Spear Street, reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the DEIR, and hereby does CERTIFY THE COMPLETION of said Final Environmental Impact Report in compliance with CEQA and the CEQA Guidelines.
- 8) The Commission, in certifying the completion of said FEIR, hereby does find that the proposed project described and evaluated in the EIR:
 - a. Will have a significant effect on the environment on project-specific and cumulative transportation impacts, in that it would:
 - The development project would have a significant traffic impact at two intersections: Fremont and Harrison Streets and Main and Harrison Streets.
 - Full build-out with the requested rezoning would have a significant traffic impact at three intersections: Main and Harrison Streets, Fremont and Harrison Streets, and Second and Brannan Streets.

I. Certification Motion

Planning Commission

File No: 2000.1090E
300 Spear Street Project
Assessor's Block 3746, Lot 1
Assessor's Block 3745, Lots 1 and 8

- The development project would make considerable contribution to cumulative traffic increases at two intersections Fremont and Harrison Streets and Main and Harrison Streets that would operate at LOS F under projected 2020 cumulative conditions.
- Full Build-out with the requested rezoning would contribute to 2020 Future cumulative conditions and would have a significant traffic impact at three intersections: Second and Folsom Streets, Fremont and Harrison Streets, and Main and Harrison Streets.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of September 4, 2003.

Linda Avery
Commission Secretary

AYES: Commissioners Bell, Antonini, Boyd, Feldstein, Hughes, S. Lee
and W.L. Lee

NOES: None

ABSENT: None

ADOPTED: September 4, 2003

300 Spear Street
● FINAL EIR ENVIRONMENTAL IMPACT REPORT

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I. SUMMARY

- The Draft Environmental Impact Report (Draft EIR) prepared for the proposed 300 Spear Street project was published on September 14, 2002. Subsequent to the publication of the Draft EIR, the project sponsor revised the development project and made minor changes and clarifications to requested amendments to Planning Code text. These revisions to the proposed project were published in the Comments and Responses document, dated June 9, 2003. The revised project is described on pp. 3-3b.

A. PROJECT DESCRIPTION

The project sponsor, Union Property Capital, Inc., proposes rezoning of parcels in the Rincon Hill neighborhood (the “rezoning project”) and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the “development project”). The property is currently used as a paved parking lot for 290 vehicles.¹ The rezoning project includes rezoning Lots 1 and 8 in Assessor’s Block 3745, and part of Lot 1 in Assessor’s Block 3746 from the existing P (Public) to a zoning district that allows private development. The project sponsor requests rezoning from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, the project sponsor requests a Planning Code text amendment to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District (SUD) overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor’s Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor’s Block 3745, the remaining privately owned lot in the existing P district.

The development portion of the project would consist of up to 820 residential units, about 60,000 gsf of retail and about 50,000 gsf of office space, and about 960 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases would enclose a centrally-located landscaped courtyard beginning at the courtyard (third) level. A pedestrian walkway connecting Spear and Main Streets would be

¹ The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000.

routed through the landscaped courtyard. Another 20- to 30-foot-wide pedestrian walkway, accessible from the courtyard, would abut the rear property line. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.

The requested rezoning would retain the 6:1 ratio of residential to commercial (six square feet of residential space for every one square foot of commercial space) that applies in the existing Residential subdistrict. Uses allowable in the new Residential/Commercial subdistrict would be broader than those uses permitted in the Residential subdistrict under RC-4 zoning. In addition to RC-4 uses, the rezoning would also include provisions to allow institutional and community facilities, utility and automotive uses, retail, office, home and business services, and entertainment uses. A minimum of a 50-foot height differential would be required between two towers proposed on the same site (that is if one tower is 400 feet, the other tower could be a maximum of 350 feet). The existing bulk limit would be changed from R to new bulk limits. The requested rezoning would permit 100 percent site coverage for the building base. The rezoning request would establish requirements for a minimum separation of 82.5 feet between the towers above a height of 80 feet, if two towers are proposed on one site.

The requested rezoning area is about three blocks south of Market Street and one block west of The Embarcadero and San Francisco Bay. The anchorage of the San Francisco - Oakland Bay Bridge is about one block to the south. The 300 Spear Street site occupies a total land area of approximately 75,625 square feet (sq. ft.) on the northern half of the block bounded by Spear, Folsom, Main and Harrison Streets.

Development is proposed to begin by summer 2003. Development would be sequenced during a 36- to 48-month construction period. The project would require the following actions, with acting bodies shown in italics:

1. Amend Planning Code Zoning Maps to rezone privately owned parts of existing P (Public) District to RC-4 (Residential-Commercial Combined: High Density), increase height limits from 105, 150 and 200 feet to 300 and 400 feet, and change bulk limit from R to W for Block 3745, Lots 1 and 8, and portions of Block 3746, Lot 1. *Planning Commission recommendation, Board of Supervisors approval*
2. Amend Planning Code Text to add a new Residential/Commercial subdistrict to the Rincon Hill SUD. *Planning Commission recommendation, Board of Supervisors approval*
3. Amend General Plan, Rincon Hill Area Plan. *Planning Commission approval, referral to Board of Supervisors for approval*

4. Conditional Use Authorization/Planned Unit Development (PUD) for buildings taller than 40 feet in a R district. *Planning Commission approval*
5. Exception under Planning Code Section 249.1(b)(3)(B) for development causing ground-level winds to exceed comfort criteria. *Zoning Administrator*
6. Site Permits. *Department of Building Inspection*

The project would be reviewed by the Planning Department, the Planning Commission, and the Board of Supervisors in the context of applicable objectives and policies of the *General Plan*.

● Revised Project

The revised development project would be a high-rise residential building with 720 to 820 residential units in 915,000 gsf of space, about 36,000 gsf of retail space, and about 890 underground parking spaces in six levels of subsurface parking. The revised project would provide about 49,375 gsf of common open space on podium rooftops and in the form of an interior courtyard; up to 8,355 gsf of private open space; and about 700 gsf of publicly accessible open space to meet requirements for the retail use. Similar to the project analyzed in the Draft EIR, two residential towers would rise above two 80-foot-tall building bases or podiums to total heights of about 350 and 400 feet above the ground level, respectively. The podiums would enclose an interior landscaped courtyard. The pedestrian walkway connecting Spear and Main Streets would continue to be routed through the landscaped courtyard.

The revised development project would include up to the same number of residential units as were analyzed in the Draft EIR (820 units), but it would reduce retail gross square footage by 24,000 gsf and eliminate all of the office space. Retail spaces, lobbies and services in the revised development would occupy first, second and third levels of both podiums; the rest of the podium floor space would be occupied by residential uses. Both Main and Spear Street towers would remain entirely residential. With the addition of combination bay windows/balconies to residential units in the towers, each tower would now have a maximum plan length of 121 feet and a maximum diagonal of 134 feet, instead of the 115 feet maximum plan length and 140 feet maximum diagonal described for the Draft EIR development project. The proposed revisions would include 70 fewer parking spaces. The parking layout has been redesigned, so there would be six subsurface levels instead of five. The revised development project would increase common and private open space by 15,575 gsf and 850 gsf, respectively; it would reduce publicly accessible open space by 2,600 sq. ft. The revised development project would include vehicle pull-outs rather than porte cocheres on Spear and Main Streets. The building footprint has

been redesigned, so the podiums would be rectangular instead of L-shaped. The podiums would no longer bridge over the pedestrian walkway leading from Main and Spear Streets to the landscaped courtyard; thus, from Main and Spear Streets, the project would appear to be two separate buildings with a connecting central open space. In the revised development project, the towers would have flat roofs, and flagpoles would no longer be placed at the top of each tower.

The project sponsor has also made minor changes and clarifications to the requested Planning Code text amendments included in Appendix B of the EIR.² For new construction, maximum non-residential FAR would be reduced from the 5:1 originally proposed to 0.75:1. The minimum residential parking requirement of 1 space per unit would be deleted, but 1 space per unit would still be allowed. Maximum base height would be increased from 80 feet to 85 feet, and other provisions using the base height would be changed to be consistent. Affordable housing provisions specific to the proposal would be deleted; the rezoning area would be subject to citywide inclusionary housing requirements. The changes would clarify that residential open space in the rezoning area is not subject to Section 135 of the Code and that limits in the Rincon Hill SUD on parking in portions of buildings near Folsom and other streets only apply to parking at street grade.

The reduced non-residential FAR would limit non-residential floor area in a development project on the 300 Spear Street site to approximately 56,720 square feet; the revised development project evaluated here would contain about 36,000 gsf of non-residential uses (retail).

The revised development project would require the same approvals identified for the project on pp. 57-58 of the EIR. In addition to these approvals, the revised project would also require an exception to bulk limits for the two towers. According to the new “W” bulk limits requested by the rezoning project, the maximum plan length permitted for buildings between 300 and 400 feet tall would be 115 feet, and the maximum diagonal dimension permitted would be 145 feet. If the rezoning controls requested by the project were approved, the new “W” bulk limits would apply to the proposed 300 Spear Street development. The revised floor plans of the proposed 350- and 400-foot-tall towers include a combination bay window/balcony system and would have a maximum length of about 121 feet and a maximum diagonal dimension of about 134 feet. The revised project would meet the diagonal dimension requirement but exceed the length requirement under the new “W” bulk limits. Therefore, the building would require Conditional Use authorization under Planning Code Sections 271(c): Bulk Limits - Special Exceptions in

² The requested Planning Code text amendments, as revised, are on file at the San Francisco Planning Department, 1660 Mission Street, and are available for review, by appointment, as part of the project file.

Districts Other Than C-3, according to the procedures for CU authorization pursuant to Planning Code Section 303.

Conclusions. The revised project as described above was evaluated for its potential for significant environmental impacts particularly in relationship to the project analyzed in the Draft EIR. The evaluation found that the proposed revisions to the project would result in less intense land use. In addition, the evaluation found that there would be no new significant environmental effects. Both the potential reduction in residential units and the reduction in number of parking spaces in the revised development project, and the reduction in commercial (non-residential) uses in the revised requested rezoning would result in environmental impacts that would either be less than or substantially the same as the project analyzed in the Draft EIR.³

B. MAIN ENVIRONMENTAL EFFECTS

An application for environmental evaluation for the project was filed October 17, 2000, and the San Francisco Planning Department determined that an EIR was required. The Initial Study, published on July 21, 2001, determined that the following effects of the project would either be insignificant or would be reduced to a less-than-significant level by mitigation measures included in the project and thus required no further analysis: population and housing, noise, construction air quality, utilities/public services, biology, geology/topography, water, energy/natural resources, hazards, and historic/cultural resources. (See Appendix A for the Initial Study.) Therefore, the EIR does not discuss these issues. The project's potential for significant impacts in the areas of land use, visual quality and urban design, transportation, air quality, shadows and wind, and growth inducement are assessed in the EIR. The analyses below and those in the Initial Study account for construction and operational impacts, where relevant. For example, construction traffic effects are discussed in Section III.E, and construction-related air emissions are addressed in the Initial Study (Appendix A, p. 23) with mitigation measures to reduce construction-generated emissions presented in the Initial Study and in Section IV, Mitigation Measures: Construction Air Quality. Cumulative impacts are analyzed for each topic when appropriate, relating to cumulative impacts from both the development project and the requested rezoning.

³ A comparison of the potential environmental impacts of the revised project with those of the development project analyzed in the Draft EIR, in the areas of land use, visual quality and urban design, transportation, air quality, and shadows and wind, is presented at the end of each topic section in Chapter III, Environmental Setting and Impacts, and on pp. 219-224.

LAND USE, ZONING, AND PLAN CONSISTENCY

Land Use

The development project would change land use at the development site from surface parking to high-density residential use with ground-floor retail space, some office space and subsurface parking. A similar change, from surface parking to high-density residential use, is proposed by another sponsor on the adjacent block to the west. Together, both projects propose to construct between 1,600 and 1,650 residential units.

The proposed change in land use from parking to high-density residential with some commercial uses would constitute a substantial physical change along the south side of Folsom Street. In the recent past, the immediate project area has been characterized by a predominance of surface parking and industrial uses. A number of high-density residential uses have been built recently, are under construction or have recently been approved two to three blocks west and south of the development project site. Therefore, the project vicinity is characterized by a rapidly changing urban landscape; it is transitioning from an industrial district with surface parking to a predominantly high-rise residential district close to downtown.

The proposed residential use would be consistent with similar residential uses to the south, east and west, including Hills Plaza to the east and Avalon Towers to the west. The development project would further extend the Rincon Hill residential uses north of Harrison Street, thereby furthering the goals of the *Rincon Hill Area Plan*, which recommends that the Rincon Hill area be developed as a high-density residential neighborhood close to downtown that contributes to the City's housing supply. The development's neighborhood-serving retail uses and office uses, proposed to be at the lower levels (up to the fourth level), would be similar to ground-floor commercial uses in other residential developments, such as the Bay Crest Apartments and Avalon Towers, in the Rincon Hill area.

The proposed development project would thus continue and extend existing land uses and would not disrupt or divide them. Therefore, the proposed change in land use would not be a significant impact because the development project's proposed uses would be compatible with existing and planned uses in the Rincon Hill area.

Zoning and Plan Consistency

To implement the development project, the project sponsor, jointly with the sponsor of the adjacent proposed 201 Folsom Street, has requested a rezoning of most of the P (Public) Use District, to RC-4 (Residential-Commercial Combined: High Density). The affected properties were formerly in public agency ownership but are now privately owned.⁴ The 300 Spear Street property was previously in Caltrans ownership. The proposal also includes a request for a new subdistrict as part of the existing Rincon Hill Special Use District.

The requested rezoning to RC-4 with the new Rincon Hill SUD Residential/Commercial subdistrict overlay would permit new kinds of uses, including mixed residential and commercial

⁴ The neighboring 201 Folsom property is in the process of being acquired by Tishman Speyer Properties from the United States Postal Service.

uses, and higher density than would be permitted under the existing P (Public) District. The full text of requested Planning Code changes is presented in Appendix B: Requested Amendments to Planning Code and General Plan. The Residential/Commercial subdistrict would permit new uses broader than those allowed on or existing on nearby properties. The new uses requested would be consistent with the nearby high-rise buildings accommodating residential above ground-floor retail uses. The change to higher-density mixed use would not cause significant adverse land use impacts, but could lead to other physical impacts that are discussed elsewhere in the EIR.

The increase in height limits from 105, 150 and 200 feet to 300 and 400 feet, and change from R to a new “W” bulk limit would permit substantially taller and larger buildings. The requested height limits would be similar to those proposed in revisions to the *Rincon Hill Area Plan* and zoning under review by the Planning Department⁵ and in the proposed Transbay Redevelopment Plan area north of Folsom Street under review by the San Francisco Planning Department and San Francisco Redevelopment Agency.⁶ The requested height limits would double the existing height limits nearby. The increase in height and bulk limits could, in turn, lead to other physical impacts that are discussed elsewhere in the EIR.

General Plan amendments have been requested to address the new “Residential/ Commercial subdistrict” provisions and related changes within the *Rincon Hill Area Plan*. The full text of the requested amendments is presented in Appendix B. Physical effects that would occur due to changing the controls in the *Rincon Hill Area Plan* of the *San Francisco General Plan* would be similar to those discussed above related to changes in land use, in that they would encourage taller, mixed residential/commercial uses. *General Plan* amendments would establish urban design parameters similar to requirements discussed above. Accordingly, the *General Plan* amendments could lead to physical impacts similar to the physical impacts of zoning district change, and height and bulk limit changes. As with the changes to zoning, the potential physical effects of *General Plan* amendments are discussed elsewhere in the EIR.

VISUAL QUALITY/URBAN DESIGN

The visual analysis in this EIR considers not only the proposed 300 Spear Street development project but also the implications of the requested rezoning, including the requested height limit change from 105, 150 and 200 feet to 300-foot and 400-foot height limits. Therefore, the

⁵ See City and County of San Francisco, 2000.1081E: *Rincon Hill Mixed Use District*, Notice of Preparation of a Draft EIR, March 10, 2001.

⁶ City and County of San Francisco, *Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Plan*, Notice of Preparation of a Draft EIR, March 16, 2001.

development proposed on the adjacent parking lot at 201 Folsom Street is analyzed in conjunction with the proposed project, as representative of what could be developed under the requested rezoning. Together the two development projects would replace two surface parking lots with high-rise residential developments having towers of 350 feet and 400 feet in height.⁷

The 300 Spear Street development project, together with the similarly scaled 201 Folsom Street, proposed within the area of the requested rezoning, would constitute a substantial change in the visual environment south of Folsom Street. The proposed development project and proposed adjacent development would step up from existing low- and mid-rise buildings of varying heights and bulk nearby in the Rincon Hill area. The heights and bulk of the proposed developments at 300 Spear Street and 201 Folsom Street would be similar to development in the Downtown area and Financial District, three blocks to the north.

The development project at 300 Spear Street and the proposed 201 Folsom Street would create a lower, secondary and peripheral high-rise urban form in the Rincon Hill area between the downtown high-rise urban areas to the north and the relatively lower elevation areas near China Basin Channel and the waterfront to the south. The lower and smaller high-rise urban form of the Rincon Hill area would have a 400-foot height limit, whereas the downtown has buildings ranging from 200 to 800 feet tall. The “valley” between these two high-rise urban areas, extending roughly from Mission to Folsom Streets, has a predominantly 200-foot height limit and is occupied by low- and mid-rise buildings or is vacant.

The development project would not substantially change important view corridors or obstruct scenic views. From moving vantage points for westbound motorists on the Bay Bridge, the proposed development project, along with the 201 Folsom Street proposal, would alter the transitory visual relationship between the down-sloping urban built form in the foreground and the natural form of the hills beyond.

The development project would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area. Large expanses of vacant land in close proximity to the dense downtown core, including the development site, characterize much of the immediate vicinity. The project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed development project. The development project would not entail the

⁷ The 345 Main Street parcel is within the requested rezoning. However, no development is anticipated at that site. Under the requested rezoning, the existing 105-R Height and Bulk district would be changed to the 300-W district.

demolition of any historic, visual or open space resource. The proposed building would include features that are intended to enhance the pedestrian environment, convey a sense of human scale and visual interest at street level and create continuity with nearby existing and future buildings.

For these reasons, although the proposed building would dramatically change the visual character of the site and vicinity, and would not conform to the existing pattern of heights at this southern periphery of the downtown high-rise urban form, the development project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

TRANSPORTATION

The proposed development project would generate approximately 17,430 daily person trips, of which about 2,190 would be during the p.m. peak hour (5:00 to 6:00 p.m.). Up to 340 vehicle trips would be generated during the weekday p.m. peak hour, of which about 200 would be inbound to the development site and about 140 would be outbound from the site. These vehicle trips would cause the Level of Service (LOS) at two study intersections to worsen from LOS D to LOS E, at Fremont and Harrison Streets and at Main and Harrison Streets. Of the remaining 25 intersections studied, 19 would remain at acceptable LOS D or better and six would continue to operate at unacceptable LOS E or F with or without the proposed project.

The development site is well-served by public transit, with eight MUNI bus lines and one light rail line within walking distance; additional MUNI Metro service is available under Market Street, about three blocks north. Regional transit is available on the Bay Area Rapid Transit (BART) trains, with stations located under Market Street. Service to the East Bay on AC Transit, to the Peninsula on SamTrans, and to the North Bay on Golden Gate Transit buses, is available at the Transbay Terminal on Mission Street about four blocks to the northwest. The proposed development would generate about 575 p.m. peak hour transit trips, about 355 inbound and 220 outbound. With the additional outbound transit trips, MUNI and regional transit carriers would continue to operate within their service standards⁸ in the peak (outbound) direction. The development project would not cause significant increases in demand for transit service. The increase in inbound transit trips generated by the development project would not substantially affect transit service in the inbound direction.

The development project would be required to provide 960 parking spaces under the provisions of the requested rezoning, including 820 spaces for the residential units, 30 spaces for the office

⁸ Transit service standards are the numbers of passengers per transit vehicle that each transit service agency establishes as acceptable.

uses and 110 spaces for the retail uses. The development project would meet these requirements with 960 independently-accessible spaces. Under existing parking provisions in the Rincon Hill SUD Residential subdistrict, the parking requirement for retail uses would be 37 spaces, 73 fewer spaces than proposed. Other parking requirements would not change under the requested rezoning.

The development project would generate a parking demand for up to 1,066 parking spaces. The development project would generate a parking shortfall of up to 246 spaces if the entire residential parking demand were assumed to be attributed to the development project site and no residents were able to secure off-street parking in a nearby, off-site parking facility. In addition, the development project would displace the existing 290-space parking lot, resulting in a net parking shortfall of up to 570 spaces. As a result, the off-street parking occupancy in the study area would increase from 92 percent to over 100 percent. With parking facilities over 100 percent of capacity, it would be difficult for drivers to find parking within the study area; this generally results in some drivers parking further from their destination and others switching to other modes of travel, such as carpool, transit or bicycle.

The development project would include a mid-block pedestrian walkway through the site connecting Main and Spear Streets, in compliance with provisions of the *Rincon Hill Area Plan*. Pedestrians could be accommodated on sidewalks in the project vicinity, with no significant impacts. The development project would supply bicycle parking facilities as required in the Planning Code; because the project is primarily residential, locker and shower facilities for bicyclists would not be required. Bicycles could be accommodated on streets in the project vicinity with no significant impacts.

The proposed development project would provide five off-street loading spaces, in compliance with existing Planning Code requirements; these requirements are not requested to be changed in the requested rezoning. These five spaces would meet the peak demand, estimated to be about three loading docks.

Construction of the development project would take about 36 to 48 months. Construction-related activities would typically occur on weekdays between 6:00 a.m. and 6:00 p.m. No travel lanes would be closed and no MUNI bus stops would be affected during construction; existing Golden Gate Transit bus stops on Folsom Street would need to be relocated. Temporary pedestrian walkways would be provided in parking lanes if sidewalks were closed during construction. Construction truck traffic and construction worker traffic and parking would temporarily affect capacities of local streets and parking facilities, and thus would not be a significant impact.

The project includes a request for rezoning most of the area presently designated P (Public) to RC-4 (Residential-Commercial Combined: High-Density) with a new Residential/Commercial subdistrict in the Rincon Hill SUD controls. Full buildout under the requested rezoning would involve development of a mixed-use high-rise project on the other large site in the P District at 201 Folsom Street, across Main Street from the 300 Spear Street site. A high-rise residential development project is proposed for the 201 Folsom Street site and is being evaluated in a separate EIR. The requested rezoning controls would permit up to 130,000 sq. ft. of office space in addition to the development proposed on that site, based on the 6:1 ratio of residential-to-commercial space permitted in the existing and requested Rincon Hill SUD controls. The 300 Spear Street development project already includes full development under the requested rezoning. Full buildout would result in additional travel in the project area. The increase in traffic from full buildout would cause significant impacts at three intersections: Fremont and Harrison Streets and Main and Harrison Streets would degrade from LOS D to LOS E, and Second and Brannan Streets would degrade from LOS E to LOS F. Increased transit ridership from development under the requested rezoning would not have substantial effects on MUNI or regional transit carriers. There would be a parking shortfall of up to about 890 spaces during the midday peak parking period with full buildout under the requested rezoning. Off-street parking occupancy would increase to over 100 percent, resulting in some drivers parking outside the parking study area and others switching to transit, carpool or other forms of travel. The additional pedestrian and bicycle trips from full buildout would not cause significant impacts on sidewalks or streets in the project area.

Cumulative traffic growth in 2020, including that from the proposed development project, would cause 16 of the 27 study intersections to operate at unacceptable LOS E or F. Poor operating conditions would be found at all approaches to the Bay Bridge and at intersections along west-bound Howard Street. The development project would contribute considerably to 2 of the 16 study intersections that would operate at LOS E or F during the p.m. peak hour: at Fremont and Harrison Streets and at Main and Harrison Streets. The contribution of the development project at these intersections would constitute a significant environmental impact. Full buildout under the requested rezoning of the P District would result in a significant contribution to cumulative impacts at these two intersections plus the intersection at Second and Folsom Streets.

Between existing conditions and the year 2020, ridership demand on MUNI is projected to increase by about 22 percent while capacity is projected to increase by about 14 percent. Thus, MUNI ridership is expected to approach capacity at all analysis screenlines; at the southeast screenline MUNI would operate at capacity. The 300 Spear Street development project would contribute about 2.5 percent or less to the growth in ridership at each screenline, and would not contribute to significant cumulative impacts on the City transit system. Ridership on regional

transit carriers would increase in the future, but all would operate within their current operating standards except BART to the South Bay. Neither the 300 Spear Street development project nor full buildout under the requested rezoning would contribute more than 1.0 percent to the growth in ridership on any regional systems; thus neither would contribute substantially to significant cumulative regional transit impacts.

AIR QUALITY

The proposed development project would contribute to local and regional air emissions primarily from increased traffic. The development project would generate about 2,460 daily vehicle trips. These vehicle trips would emit about 47 pounds per day of reactive organic gases (ROG), 46 pounds per day of nitrogen oxides (NO_x), and 16 pounds per day of inhalable fine particulates (PM₁₀). None of these emission levels would reach the 80 pounds per day threshold established by the Bay Area Air Quality Management District (BAAQMD); therefore the development project would not have significant regional air quality impacts.

Localized carbon monoxide (CO) emissions were analyzed at intersections near the proposed development project. While CO emissions generated by the development project would not exceed the 550 pounds-per-day screening criterion, several intersections would operate at LOS D, E or F in the future with the development project, meeting another of the BAAQMD screening criteria calling for a localized CO analysis. Congestion at various study intersections would generate a maximum of 8 parts per million of CO on a one-hour basis, substantially below the state one-hour standard of 20 parts per million. Federal standards are less stringent than state standards; therefore, the development project would not exceed state or federal CO standards and would not cause significant local air quality impacts.

Combined emissions from the 300 Spear Street development with the 201 Folsom Street proposal at full buildout under the requested rezoning would slightly exceed the regional thresholds for ROG and NO_x under today's standards. However, since neither development project would be completed before 2004, combined emissions in the future would be below the 80 pound-per-day threshold due to improvements in the statewide automobile fleet and attrition of older, high-polluting vehicles.

Traffic growth associated with cumulative development in 2020 would not result in any exceedances of the state one-hour or eight-hour CO standards. All regional emission standards would be met with a wide margin by 2020; ROG, NO_x and PM₁₀ emissions would be no more than 30 pounds per day, compared with a threshold of 80 pounds per day. Therefore, both the development project and full buildout under the requested rezoning would have less-than-

significant contributions to cumulative regional air quality effects, based on BAAQMD significance thresholds.

SHADOWS AND WIND

Shadows

The Initial Study included a shadow fan analysis which determined that the shadow impacts of neither the 300 Spear Street development project nor the requested rezoning would be significant because the development would not shade open spaces under the jurisdiction of the Recreation and Park Department. However, 300 Spear Street would cast shadows on local sidewalks and publicly accessible open space not under the jurisdiction of the Recreation and Park Department. For informational purposes, this EIR describes the project's shadow effects on the development site vicinity.

The development site is an existing parking lot that does not cast shadow on any nearby sidewalks or open spaces. The proposed development project would create net new shadow on nearby sidewalks, especially those along Folsom, Main, and Spear Streets adjacent to and across from the development site, and northward along Spear and Main Streets in the winter. The development would create net new afternoon shadow in December on portions of Rincon Park that are not already shaded by the intervening Gap Inc. Headquarters and Hills Plaza. Rincon Park is under the jurisdiction of the San Francisco Redevelopment Agency. The development project would also create net new morning shadow on the open space at 221 Main Street around the spring and fall equinoxes. In the late afternoon in June, the development project would add shadow to the publicly accessible open space at Hills Plaza on areas not already shaded by Hills and its arcade.

Wind

Wind tunnel tests were conducted for the development project. Average wind speeds with the development project would measure between 4 and 17 miles per hour (mph), compared to 3 to 16 mph under existing conditions. The pedestrian comfort criterion of 11 mph would be exceeded in 21 out of 44 test locations with the proposed development. With development of the proposed 201 Folsom Street, wind speeds would range between 8 to 17 mph, with 35 of the 44 wind speed measurement locations exceeding the pedestrian use comfort criterion.

Under proposed development project conditions, the greatest wind speeds would be west, northwest, east, and southeast of the development site along the sidewalks east and west of Spear

Street (between 8 and 16 mph), along the east-side sidewalk of Main Street (between 11 and 17 mph), and at the corners of the Folsom and Spear Streets intersection (between 11 and 16 mph). In general, wind speeds on the private podium terraces and public landscaped courtyard would be above the appropriate pedestrian use and sitting area comfort criteria.

As with existing conditions, none of the development scenarios would generate hazardous wind speeds exceeding 26 mph. Thus, the proposed development's wind effects would be less than significant.

GROWTH INDUCEMENT

Rezoning the development site and adjoining area would allow for private development of residential and commercial mixed uses in an area previously designated for public uses and owned by government agencies. Rezoning would also allow development on the site of the adjacent parking lot at 201 Folsom Street, further increasing population and employment in the area. Retail and office use could employ approximately 915 people and house approximately 2,200 people. Rezoning would not be expected to induce development at 345 Main Street in the foreseeable future, because considerable sums were spent in the past two years to remodel the building for telecommunication uses. Direct increases in housing and employment from the proposed 300 Spear Street development project and the requested rezoning would induce further growth in business and employment in nearby areas of Rincon Hill and South Beach. It would be speculative to predict impacts associated with individual development projects as a secondary growth inducement, and individual future projects would be subject to environmental review.

Based on employment density factors, the proposed retail and office uses at 300 Spear Street are estimated to employ approximately 355 people. Based on housing density factors, the proposed 820-unit residential development would be expected to accommodate up to 1,100 new residents. The projected residential units would more than offset housing demand generated from the project's employment. While the increase in area population would be noticeable to immediately adjacent neighbors, these levels are common and accepted in high-density urban areas such as San Francisco.

C. MITIGATION MEASURES

Mitigation measures identified in this EIR or in the Initial Study as necessary to mitigate significant environmental effects are listed below. Mitigation measures would reduce but not eliminate significant transportation (project and cumulative) impacts.

MITIGATION MEASURES IDENTIFIED IN THIS EIR

Transportation

Traffic generated by the proposed development project would result in significant impacts to two nearby intersections. Because operations at these and other intersections near the development site are dictated by the operations at the Bay Bridge and freeway on-ramps, and because existing intersections cannot be widened to increase capacity without demolishing existing occupied buildings, mitigation measures for the intersections of Main and Harrison Streets and Fremont and Harrison Streets would be infeasible and have not been recommended. The impacts would be significant and unmitigable. This EIR identifies mitigation measures that would reduce but not eliminate this significant impact.

- Full build-out with the requested rezoning would contribute considerably to 2020 future cumulative conditions and would have a significant impact at three intersections: Main and Harrison Streets, Fremont and Harrison Streets, and Second and Folsom Streets. The development project would contribute considerably to 2020 future cumulative conditions and would have a significant impact at Fremont and Harrison Streets, and Main and Harrison Streets. For the same reasons as discussed above, intersection improvements to mitigate these impacts would be infeasible. To help mitigate the project's contribution to cumulative impacts, the following mitigation measure shall be required by City decision-makers:

1. The project sponsor may be requested to contribute to a new Integrated Transportation Management System (ITMS) being implemented by the Department of Parking and Traffic. This program is a citywide real-time electronic transportation management system that is planned to include installation of various intelligent transportation system infrastructure components to improve traffic circulation in the City. The program is planned to monitor and manage traffic by receiving real-time information at a Traffic Management Center via closed-circuit television cameras.

Implementation of the ITMS program will improve overall traffic conditions and reduce traffic congestion in the City, including in the South of Market area where the project is located. By improving overall traffic conditions and reducing traffic congestion, the ITMS would facilitate circulation in the project area and thereby reduce impacts of the project under 2020 cumulative conditions somewhat. It cannot be said with certainty, however, that implementation of the ITMS program would be sufficient to reduce 2020 cumulative impacts to less-than-significant levels.

MEASURES FROM THE INITIAL STUDY INCLUDED IN THE PROJECT

Mitigation measures have been included in the project that would reduce impacts to less-than-significant levels. These measures were identified in the Initial Study.

Noise

2. It is unlikely that pile driving would be required for this development project; however, should it be necessary to install pile foundations, the project sponsor shall require construction contractors to predrill holes to the maximum depth feasible on the basis of soil conditions. Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that shall be consistent with the Noise Ordinance.

Construction Air Quality

3. The project sponsor shall require the contractor(s) to spray the development site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsors shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Geology/Topography

4. The project sponsor shall ensure that the construction contractor conducts a pre-construction survey of existing conditions and monitors any adjacent buildings for damage during construction, if recommended by the geotechnical engineer in the foundation investigations.

If dewatering is necessary, the final foundation report shall address the potential settlement and subsidence impacts of this dewatering. Based on this discussion, the foundation report shall determine whether or not a lateral movement and settlement survey shall be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey were recommended, the Department of Building Inspection would require that a Special Inspector (as defined in Article 3 of the

San Francisco Building Code) shall be retained by the project sponsor to perform this monitoring. Instruments shall be used to monitor potential settlement and subsidence. If, in the judgement of the Special Inspector, unacceptable movement were to occur during construction, groundwater recharge would be used to halt this settlement. The project sponsor shall delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street shall be borne by the project sponsor.

If dewatering were necessary, the project sponsor and its contractor shall follow the geotechnical engineers' recommendations regarding dewatering to avoid settlement of adjacent streets, utilities, and buildings that could potentially occur as a result of dewatering.

The project sponsor and its contractor shall follow the geotechnical engineers' recommendations regarding installation of settlement markers around the perimeter of shoring to monitor any ground movements outside of the shoring itself. Shoring systems shall be modified as necessary in the event that substantial movements are detected.

Water Quality

5. The project sponsor shall ensure that groundwater from development site dewatering and stormwater runoff meets the discharge limitations of the City's Industrial Waste Ordinance by carrying out the following:

If dewatering were necessary, the project sponsor shall follow the recommendations of the geotechnical engineer or environmental remediation consultant, in consultation with the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system.

If dewatering were necessary, groundwater pumped from the development site shall be retained in a holding tank to allow suspended particles to settle, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission to reduce the amount of sediment entering the combined sewer system.

The project sponsor shall require the general contractor to install and maintain sediment traps in local storm water intakes during construction to reduce the amount of sediment entering the combined sewer system, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission.

Hazards

6. In addition to local, state, and federal requirements for handling hazardous materials, the project sponsor shall enter into a voluntary agreement with the San Francisco Department of Public Health to undertake the following work and any additional requirements imposed by the Department of Public Health under the agreement.

Prior to initiating any earth-moving activity at the development site, the project sponsor shall consult with the San Francisco Health Department to determine whether additional soil sampling shall be necessary under Public Works Code Article 20 (the Maher Ordinance). Disposal of excavated soils shall comply with existing local, state, and federal regulations. If determined to be necessary, a Site Safety and Health Plan shall be prepared. In addition to measures that protect on-site workers, the Plan shall include measures to minimize public exposure to contaminated soils. Such measures shall include dust control, appropriate site security, restriction of public access, and posting of warning signs, and shall apply from the time of surface disruption through the completion of earthwork construction.

The project sponsor shall provide all reports and plans prepared in accordance with Mitigation Measure 6 to the San Francisco Department of Public Health and any other agencies identified by the Department of Public Health. When all hazardous materials have been removed from the development site, and soil analysis and other activities have been completed, as appropriate, the project sponsor shall submit to the San Francisco Planning Department and the Department of Public Health (and any other agencies identified by the Department of Public Health) a report stating that all hazardous materials have been removed from the development site, and describing the steps taken to comply with this mitigation measure. Any verifying documentation would be attached to the report. The report shall be certified by a Registered Environmental Assessor or similarly qualified individual.

Archaeological Resources

The following mitigation measure for archaeological resources has been revised and expanded since publication of the Initial Study; the approach to mitigation has not changed, but more detailed procedures have been included. The project sponsor has agreed to carry out the measure as revised.

7. Based on a reasonable presumption that archaeological resources may be present within the development site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed development project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports to be prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend project construction activities for up to a maximum of four weeks. At the direction of the ERO, the suspension of project activities can be extended beyond four weeks only if such a suspension is necessary and is the only feasible means

to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Sec. 15064.5 (a)(c).

Archaeological Testing Program. The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources, to identify any archaeological resources found, and to evaluate the significance of any archaeological resources found as an historical resource.

At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant determines that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, the project sponsor shall have the option to either:

- A) re-design the project so as to avoid any adverse effect on the significant archaeological resource; or
- B) implement a data recovery program.

Archaeological Monitoring Program. If the ERO in consultation with the archaeological consultant determines that an archaeological monitoring program shall be implemented the archaeological monitoring program shall minimally include the following provisions:

- The ERO in consultation with the archaeological consultant shall determine what project activities shall be archaeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource;
- The archaeological monitor(s) shall be present on the development project site until the ERO has, in consultation with the project archaeological consultant, determined

that project construction activities could have no effects on significant archaeological deposits;

- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the resource is evaluated. If in the case of pile-driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archaeological resources were encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archaeological Data Recovery Program. The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit the draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes will address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed development project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.

- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing development activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archaeological Resources Report. The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO evaluating the historical importance of the archaeological resource and describing the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s). Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (1 copy) and the President of the Landmarks Preservation Advisory Board (1 copy). The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

IMPROVEMENT MEASURES

Improvement measures are actions or changes that would reduce effects of the project that were found through the environmental analysis to have less-than-significant impacts. Improvement measures identified in the EIR may be required by decision-makers as conditions of project approval.

Transportation, Parking

Though the shortfall of parking spaces is not determined a significant impact in the EIR, there are improvement measures that could be implemented to reduce this effect. Suggested improvement measures could include one or more of the following: encourage office and retail employees to use alternative means of travel; provide reduced rate of free transit passes; provide on-site transit information, such as schedules, fare guides, and maps, and provide transit maps and directions for transit at the project's web site; coordinate with City CarShare to promote the use of car-sharing by residents; provide separate shower and locker facilities to encourage bicycle use by employees.

Wind

Though there were no significant wind impacts found during the wind study analysis, there are recommendations to improve pedestrian use and sitting area comfort criteria for the development project.

Wind-sheltering elements, such as wind-tolerant landscaping, or porous structures like screens, latticework, or perforated metal, should be planted or constructed on the interior courtyard and private outdoor terraces to reduce wind impacts and improve usability of outdoor sitting and eating areas.

During the final design process a qualified meteorologist should be consulted to reduce ground-level wind speeds as much as possible and produce a report for review by the San Francisco Planning Department that could include suggested wind-reduction mitigation measures to be incorporated into the design prior to the issuance of final building permits.

D. ALTERNATIVES

In compliance with CEQA requirements, this EIR analyzes a reasonable range of project alternatives that would reduce or eliminate one or more significant impacts of the project. These alternatives include: No Project, No Traffic Impacts, Existing Height and Bulk, and Reduced Development Under Requested Rezoning. No alternative sites have been identified where the development project could be constructed and meet most of the project sponsor's objectives and where the project's environmental effects would be reduced to less-than-significant levels or eliminated.

Project decision-makers must consider approval of an alternative instead of the proposed project if that alternative would reduce or eliminate significant impacts of the project and is determined to be feasible. The determination of feasibility will be made by City decision-makers on the basis of substantial evidence in the record, which will include, but not be limited to, information presented in the EIR and in comments received on the Draft EIR.

ALTERNATIVE A: NO PROJECT

If the No Project Alternative were implemented and existing physical conditions at the development site were to continue for the foreseeable future, none of the impacts associated with the development would occur. By 2020, without the project, cumulative growth at other locations in Downtown would create substantial increases in commute travel, causing significant traffic impacts similar to those described in Section III.C, Transportation.

ALTERNATIVE B: NO TRAFFIC IMPACTS

Alternative B would change the existing zoning from P to RC-4 on the development site, as requested for the proposed development project, but would not include any changes to the existing height and bulk limits or to the existing Residential subdistrict controls in the Rincon Hill SUD. Development in this alternative would include a substantially smaller building, with 35,000 gsf of ground-floor retail space, about 260 parking spaces in one subsurface level, and 200 residential units in two mid-rise towers.

This alternative would change land uses on the development site from surface parking to mixed residential and commercial uses, as with the proposed development project. Land use densities would be substantially less than those of the proposed development. Tower heights would be less than 200 feet, about one-half of the heights proposed in the development project. Thus, this

alternative would be shorter than most newer residential buildings in the Rincon Hill area, and would have substantially less visual impact compared with the proposed development project.

Traffic impacts under Alternative B would be reduced compared to the proposed development project. Alternative B would reduce trip generation by more than 50 percent and would eliminate the traffic impacts caused by the development project at the intersections of Fremont and Harrison Streets and Main and Harrison Streets. As with the development project, this alternative would not cause significant impacts on transit systems, pedestrian conditions or bicycle conditions, nor would it cause significant air quality impacts.

Alternative B would create less shadow on nearby sidewalks and open space and would be unlikely to cause greater ground-level wind speeds than the proposed development project.

Residents and employees in Alternative B would generate a demand for goods and services in the vicinity, but in substantially smaller amounts compared with the proposed development project. No growth would be induced at the 201 Folsom Street site.

Alternative B would be the environmentally superior alternative, because it would reduce traffic impacts to less-than-significant levels.

ALTERNATIVE C: EXISTING HEIGHT AND BULK CONTROLS

The Existing Height and Bulk Controls Alternative would include a change in zoning from P to RC-4 on the development site, as requested by the proposed project. It would not change the existing height or bulk districts or introduce a new subdistrict. Shorter towers would be constructed, in conformity with existing height, bulk and tower separation limits. This alternative would include all of the same land uses as the proposed development project in a scaled-down version of development compared to the proposed development project. Accordingly, this alternative would include smaller amounts of commercial space and fewer residential units than the proposed project. One parking space would be provided for each residential unit and one parking space for each 1,500 sq. ft. of commercial space as required in the Residential subarea, as for the proposed development project, resulting in fewer overall parking spaces in this alternative.

Alternative C proposes a development that would total approximately 832,500 gsf that would consist of about 385 residential units (approximately 553,950 gsf) and about 43,750 gsf of retail space, with about 415 parking spaces in three levels of underground parking (approximately 226,900 gsf).

Alternative C would include less square footage and fewer residential units than the proposed development project. Development potential on the 201 Folsom Street site would remain unchanged because the existing P (Public) zoning would remain for that lot. Overall, land uses would change in a similar manner as described for the proposed development, but the change would result in comparatively lower density and lower intensity than proposed by the development. Unlike the proposed development project, this alternative's comparatively lower heights would make it similar to heights of nearby mixed-use/residential projects in Rincon Hill; this would result in substantially less visual and urban design effects, compared to the proposed development.

Traffic impacts under Alternative C would be reduced compared to the proposed development project. The intersection of Fremont and Harrison Streets would worsen from LOS D to LOS E, as with the proposed development project, but the Main and Harrison Streets intersection would remain at LOS D. Development with this alternative would contribute about 50 percent less traffic to local intersections and thus would not contribute to significant cumulative traffic impacts, unlike the proposed development project. No significant impacts to transit, pedestrian conditions or bicycle conditions would occur, as with the proposed development project, nor would the alternative cause significant air quality impacts.

The total length of shadows created by the Spear Street and Main Street towers of the alternative would be reduced in proportion to their reduction in height. Alternative C would also create less shadow on nearby open space. Given that building heights under Alternative C would be shorter, it is probable that wind speeds would decrease. As with the proposed development project, hazardous wind conditions would not be created under this alternative.

Residents and employees in Alternative C would create a demand for goods and services, but to a lesser extent than that of the development project. No growth would be induced on the 201 Folsom Street development site, because it would remain in a P District.

ALTERNATIVE D: REDUCED DEVELOPMENT UNDER REQUESTED REZONING

Alternative D would include the same requested rezoning provisions as the proposed project, with fewer residential units, less retail space, no office space and fewer parking spaces than in the proposed development project. A one-level, double-height base building would contain about 35,000 gsf of retail space, residential lobbies, parking access and loading docks. About 600 residential units would be in two residential towers. The towers would be the same height as those in the proposed development project. About 680 parking spaces would be in three

subsurface parking levels. A through-block pedestrian walkway would be provided connecting Spear and Main Streets, as with the proposed development project.

This alternative would result in similar land use changes as in the proposed development project, but without the proposed office use. Land uses would be developed at slightly reduced densities. Visual impacts would be similar to those of the proposed development project when viewed from a distance since the towers would be the same height and design; however, the base building would be substantially shorter and would not conform to the existing pattern of five- to eight-story streetwall heights.

The approximately 37 percent reduction in p.m. peak hour vehicle trips would not be sufficient to reduce traffic impacts to less-than-significant levels. All other transportation and air quality impacts would not be significant, as with the proposed development project.

Development with Alternative D would create similar shadow on nearby sidewalks and open space and would create similar wind conditions near the development site as would the proposed development project.

Residents and employees in Alternative D would generate a demand for goods and services, but in reduced amounts compared with the proposed development project.

II. PROJECT DESCRIPTION

A. INTRODUCTION

The project sponsor proposes rezoning of parcels in the Rincon Hill neighborhood (the “rezoning project”) and a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300

- Spear Street (the “development project”).¹ The property is currently used as a paved parking lot for 290 vehicles.² The rezoning project includes rezoning Lots 1 and 8 in Assessor’s Block 3745, and part of Lot 1 in Assessor’s Block 3746 from the existing P (Public) to a zoning district that allows private development. The project sponsor requests rezoning from P (Public) with height limits of 105, 150 and 200 feet to RC-4 (Residential-Commercial Combined: High Density) with 300- and 400-foot height limits. In addition, the project sponsor requests a Planning Code text amendment to create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay, and amendments to the *Rincon Hill Area Plan*, a part of the *San Francisco General Plan*. The request for rezoning has been made in conjunction with the proposed development at 201 Folsom Street on Assessor’s Block 3746, Lot 1, that would be a part of the rezoned area. The third parcel requested to be rezoned is 345 Main Street, Lot 8 in Assessor’s Block 3745, the remaining privately owned lot in the existing P district.

The development portion of the project would consist of up to 820 residential units, about 60,000 gsf of retail and about 50,000 gsf of office space, and about 960 underground parking spaces. Two 80-foot-tall building bases would be built to the property lines on Spear, Folsom and Main Streets; the building bases would enclose a landscaped courtyard beginning at the courtyard (third) level. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.

B. OBJECTIVES OF THE PROJECT SPONSOR

San Francisco has a chronic housing shortage that causes many residents to leave the City and limits the ability of people employed in the City to live in the City. According to the project sponsor, Union Property Capital, Inc., the 300 Spear Street project, along with the proposed

● ¹ Revisions were made to the project after publication of the Draft EIR. Please see text beginning on p. 56a for description of project revisions.

² The property was formerly owned by Caltrans and under lease to Golden Gate Transit for daytime commuter bus layovers. Golden Gate Transit buses were relocated a few blocks away in 2000.

rezoning of portions of Assessor's Blocks 3745 and 3746, is designed to accommodate a portion of the demand for housing close to downtown that is near transit, jobs and cultural institutions, and supported by neighborhood-serving retail and office space.

Currently, residential development close to downtown is limited because several of the largest potentially developable properties in Rincon Hill adjacent to Downtown are zoned P (Public Use), a district that does not permit private residential development. If these properties were rezoned for private development with increased height limits, and other amendments were adopted, high-rise residential projects like the development project and the proposed 201 Folsom Street could be constructed. Development of these rezoned properties is also anticipated to be a catalyst to promote the development of other vacant or underutilized sites in the Rincon Hill and adjacent areas.

General Objectives of the project sponsor include the following:

- Provide a large amount of high-density housing near Downtown accessible to various modes of public transportation, thereby meeting the objective in the *Rincon Hill Area Plan* to convert an underutilized and outmoded industrial area to a residential neighborhood close to downtown that would contribute significantly to the City's housing supply;
- Provide an appropriate mixture of retail space, space for personal services and some office space to support new residential development, and to provide employment opportunities;
- Rezone portions of Assessor's Blocks 3745 and 3746 (including the project site) from P to RC-4 and create a new Residential/Commercial subdistrict under the Rincon Hill Special Use District that would allow the proposed high-density residential/commercial development;
- Create a high-quality, master-planned development project with a consistent theme and identity;
- Create a high-rise residential building with stepped and tapered tower silhouettes that would enjoy dramatic views of the Bay, the Bay Bridge and the downtown area, while protecting views through the area from other vantage points, avoiding excessive screening of downtown views from the bridge and minimizing shadowing of open space;
- Allow flexibility in development plans to respond to market conditions and other factors; and

II. Project Description

- Provide adequate on-site parking resources to meet the needs of the development project, in consideration of area-wide parking demands and constraints.

To facilitate and achieve balance among the general objectives, the project sponsor has established specific programmatic objectives as follows:

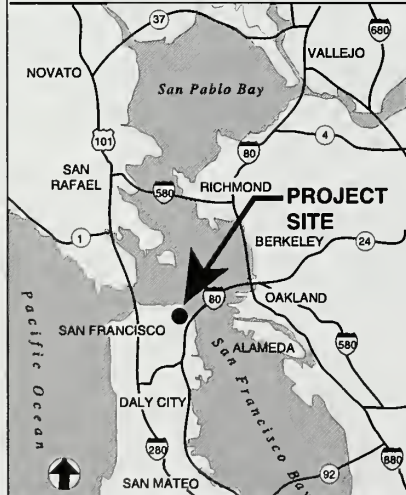
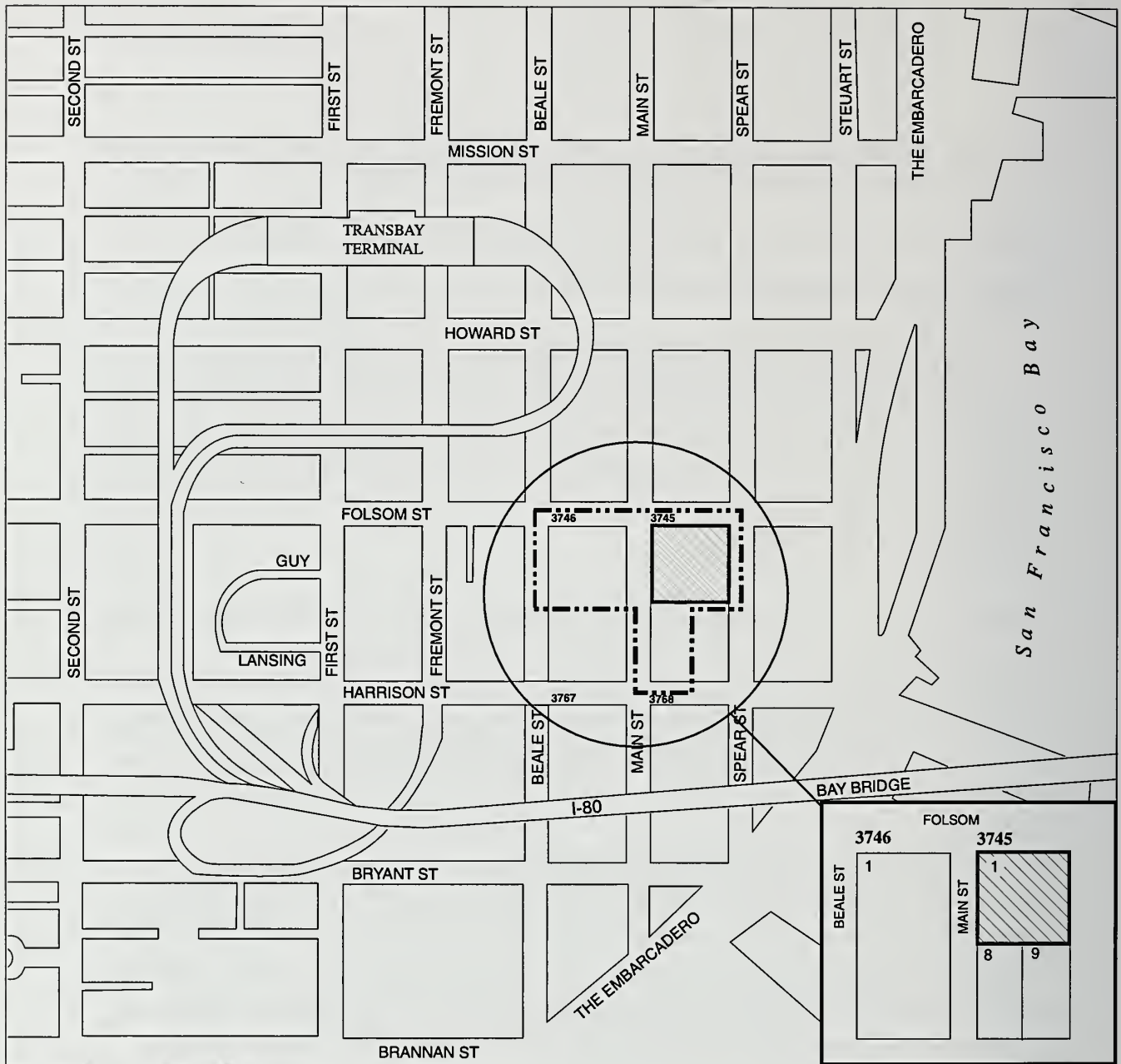
- Provide up to 820 residential units above substantial amounts of retail and office, and required parking including spaces at a 1:1 ratio for residential units and sufficient commercial parking to serve viable retail uses; and
- Incorporate common and private open space that meets or exceeds City requirements.

C. PROJECT LOCATION


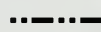
The area requested to be rezoned is in the Rincon Hill Plan area of San Francisco. The 300 Spear Street development site is one block west of The Embarcadero and San Francisco Bay.³ The anchorage of the San Francisco - Oakland Bay Bridge is one block south of the development site. In the vicinity of the development site are the southeastern portion of Downtown San Francisco and the San Francisco Transbay Terminal to the north, Hills Plaza and The Embarcadero to the east, and the South of Market neighborhood to the west and south. The Rincon Point - South Beach Redevelopment Area is located one block northeast and two blocks southwest of the development site. The proposed Transbay Redevelopment Project Area is directly north of Folsom Street. The parking lot at 201 Folsom Street, one block to the west, is proposed as a site for high-rise residential development, similar to the proposed development project at 300 Spear Street. Land use in the immediate vicinity is a mix of commercial (office and retail), residential, and parking uses. Office above ground-floor retail is the predominant use to the north and east, and residential above ground-floor retail/office is the predominant use to the south and west.

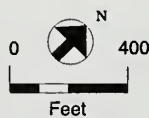
The 300 Spear Street site is currently a 275-foot by 275-foot surface parking lot on the west side of Spear Street, and occupies a total land area of approximately 1.7 acres or 75,625 square feet (sq. ft.). It is located on Assessor's Block 3745, Lot 1, which is the northern half of the block bounded by Spear, Folsom, Main and Harrison Streets. (See Figure 1: Project Location.) The site slopes slightly up toward Main and Harrison Streets. The telecommunications/utility

³ City streets south of and including Market Street are oriented northwest to southeast (e.g., First, Beale and Main Streets) and northeast to southwest (e.g., Folsom, Harrison and Bryant Streets). To simplify the discussion of these streets, the convention of calling northwest-to-southeast streets "north-south" and calling northeast-to-southwest streets "east-west" is used in this document.



LEGEND

-  SITE OF DEVELOPMENT PROJECT
-  REQUESTED REZONING TO RC-4 DISTRICT AND NEW RESIDENTIAL/COMMERCIAL SUBDISTRICT IN THE RINCON HILL SPECIAL USE DISTRICT
- 3745 BLOCK NUMBER
- 1 LOT NUMBER



8.22.01

SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 1: PROJECT LOCATION

building at 345 Main Street (formerly 160 Harrison Street), and Telecom Center 1 at 360 Spear Street (formerly 100 Harrison Street) occupy the southern half of the block (Lots 8 and 9, respectively).

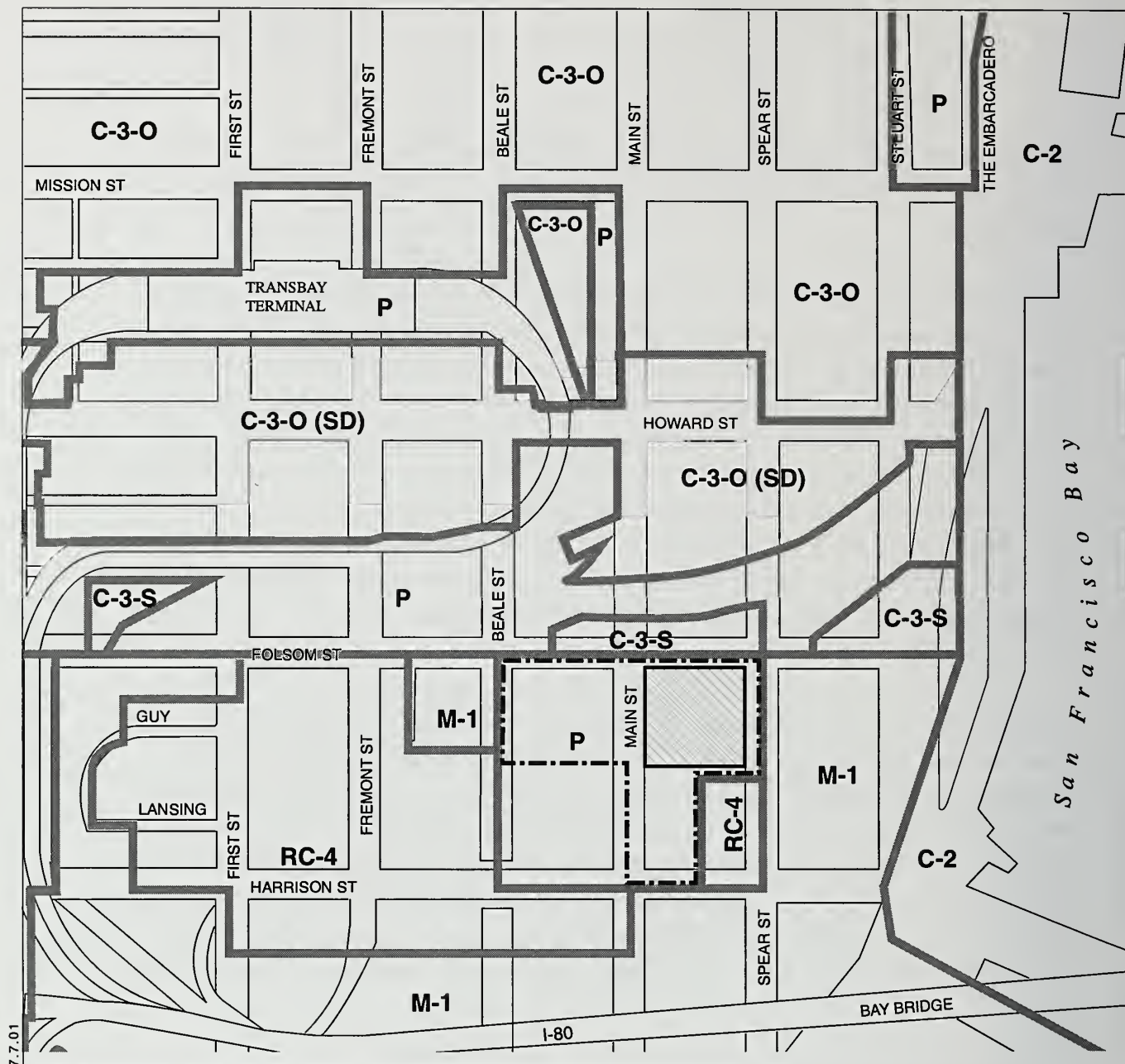
The project site is currently zoned P (Public Use); it is in the Rincon Hill Special Use District (SUD) and in the 105-R, 150-R and 200-R Height and Bulk districts. (See Figure 2: Existing Zoning Districts in Project Vicinity, Figure 3: Existing Rincon Hill SUD With Its Subdistricts, and Figure 4: Existing Height and Bulk Districts in Project Vicinity.) According to Planning Code Section 234, a P district permits governmental uses as a principal use, and permits institutional, community, recreational, public utilities and temporary uses with Conditional Use (CU) authorization. Planning Code Section 249.1 designates the Rincon Hill SUD. The requested rezoning area is in the Residential subdistrict of the Rincon Hill SUD, as shown in Figure 3. Permitted uses in the Rincon Hill SUD's Residential subdistrict include multi-family housing, medical and educational institutions and hotels, with some commercial uses. Zoning is further described in Section III.A, Land Use, Zoning, and Plan Consistency.

The project site is in an area with good transit service. It is two blocks southeast of the Transbay Terminal from which AC-Transit buses serve the East Bay. It is located within two blocks of about eight San Francisco Municipal Railway (MUNI) bus routes and one MUNI Metro line; a MUNI Metro stop on The Embarcadero at Folsom Street is two blocks east of the development site. The Bay Area Rapid Transit (BART) regional commuter rail service, located under Market Street, is three blocks north. Golden Gate Transit and SamTrans bus services to the North Bay and the Peninsula, respectively, are located two blocks north on Mission Street, and a variety of ferry services are available at the Ferry Building, about four blocks northeast of the development site.

D. PROJECT CHARACTERISTICS

Rezoning Project: Requested Rezoning and General Plan Amendments

The project, jointly with the proposed 201 Folsom Street (Project Case No. 2000.1073E), includes a request to rezone most of the P (Public) Use District, bounded by Beale Street on the west, Folsom Street on the north, Harrison Street on the south, and Spear Street on the east, to RC-4 (Residential-Commercial Combined: High Density). The requested rezoning would cover the 300 Spear Street development site and the 345 Main Street site on Block 3745, Lots 1 and 8;



LEGEND

- SITE OF DEVELOPMENT PROJECT
- AREA REQUESTED TO BE REZONED
- ZONING BOUNDARY

RC-4 RESIDENTIAL-COMMERCIAL COMBINED DISTRICT, HIGH DENSITY

M-1 INDUSTRIAL DISTRICTS

P PUBLIC USE DISTRICT

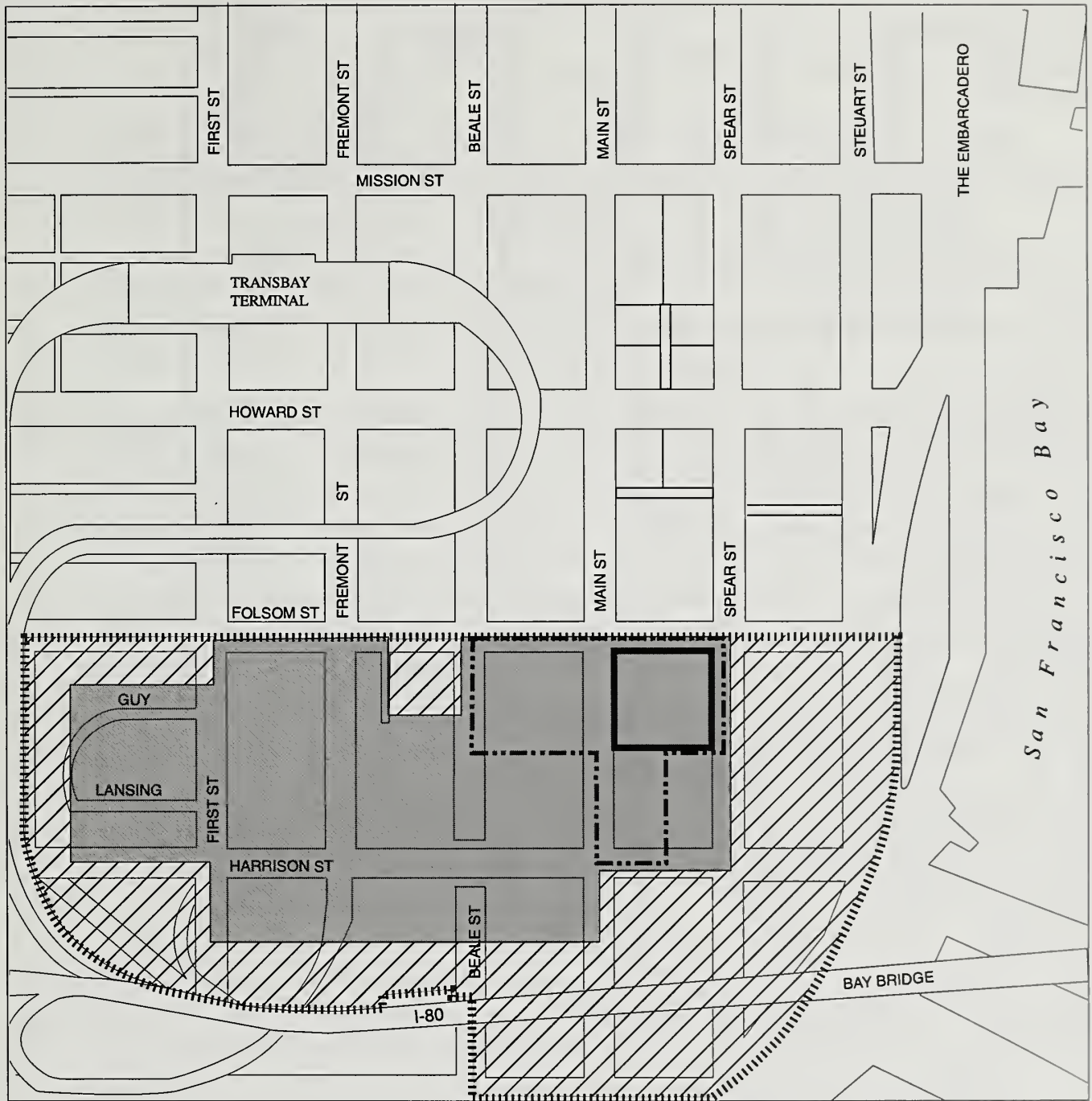
C-3-O, C-3-R, C-3-S, C-2 DOWNTOWN AND NEIGHBORHOOD COMMERCIAL DISTRICTS



300 SPEAR STREET

2000.1090E

**FIGURE 2: EXISTING ZONING DISTRICTS
IN PROJECT VICINITY**



LEGEND



SITE OF DEVELOPMENT PROJECT

AREA REQUESTED TO BE REZONED

RINCON HILL SPECIAL USE DISTRICT (SUD)



COMMERCIAL/INDUSTRIAL SUBDISTRICT



RESIDENTIAL SUBDISTRICT



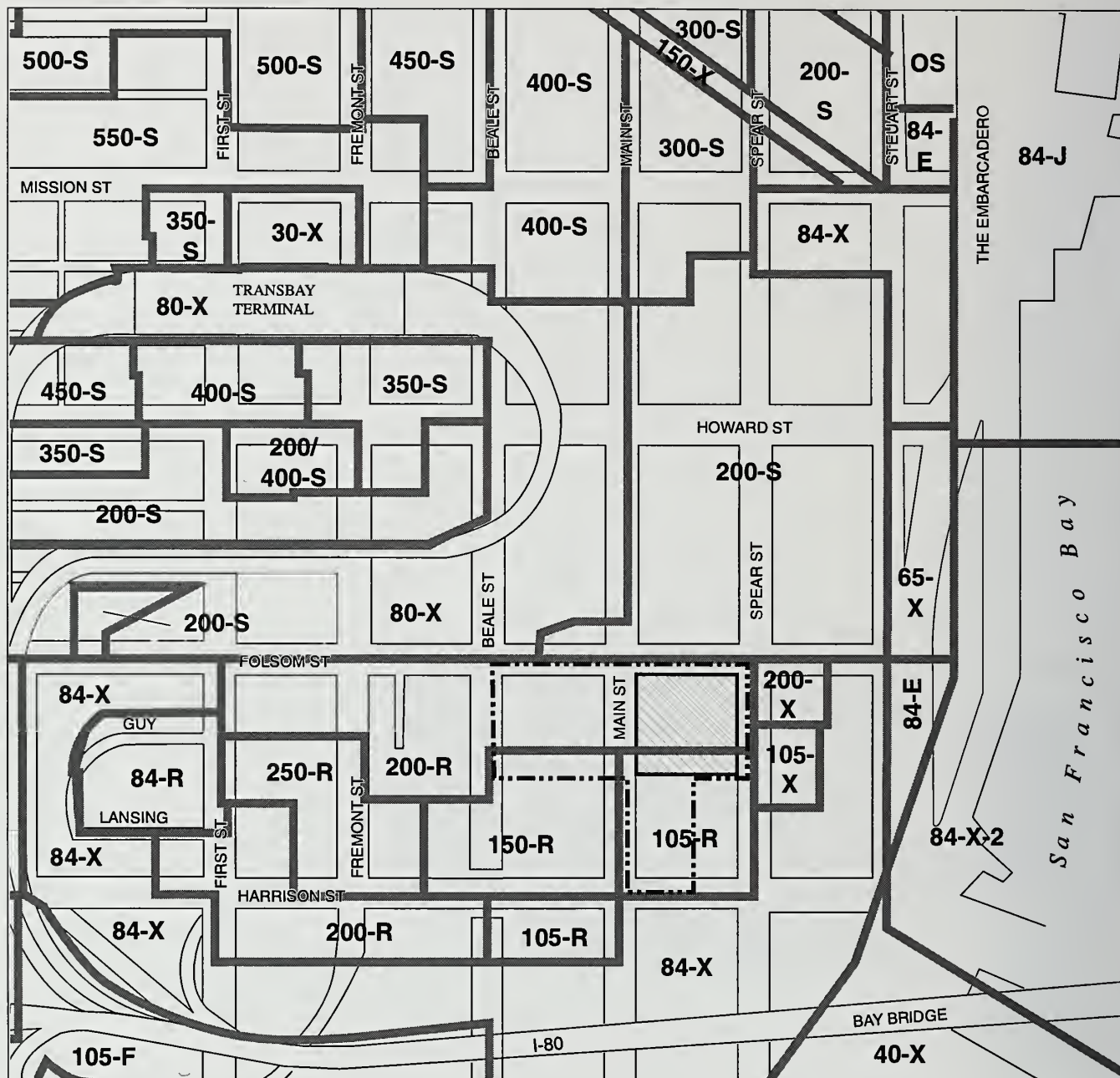
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SOURCE: San Francisco General Plan and Turnstone Consulting




300 SPEAR STREET

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FIGURE 3: EXISTING RINCON HILL SUD WITH ITS SUBDISTRICTS



LEGEND

-  SITE OF DEVELOPMENT PROJECT
-  AREA REQUESTED TO BE REZONED
-  HEIGHT AND BULK BOUNDARY
- OS** OPEN SPACE DISTRICT
- NUMBERS ARE HEIGHT LIMITS IN FEET
- LETTER SYMBOLS REFER TO BULK LIMITS IN CITY PLANNING CODE SEC. 270



7.7.02

SOURCE: San Francisco Planning Code and Turnstone Consulting

300 SPEAR STREET

2000.1090E

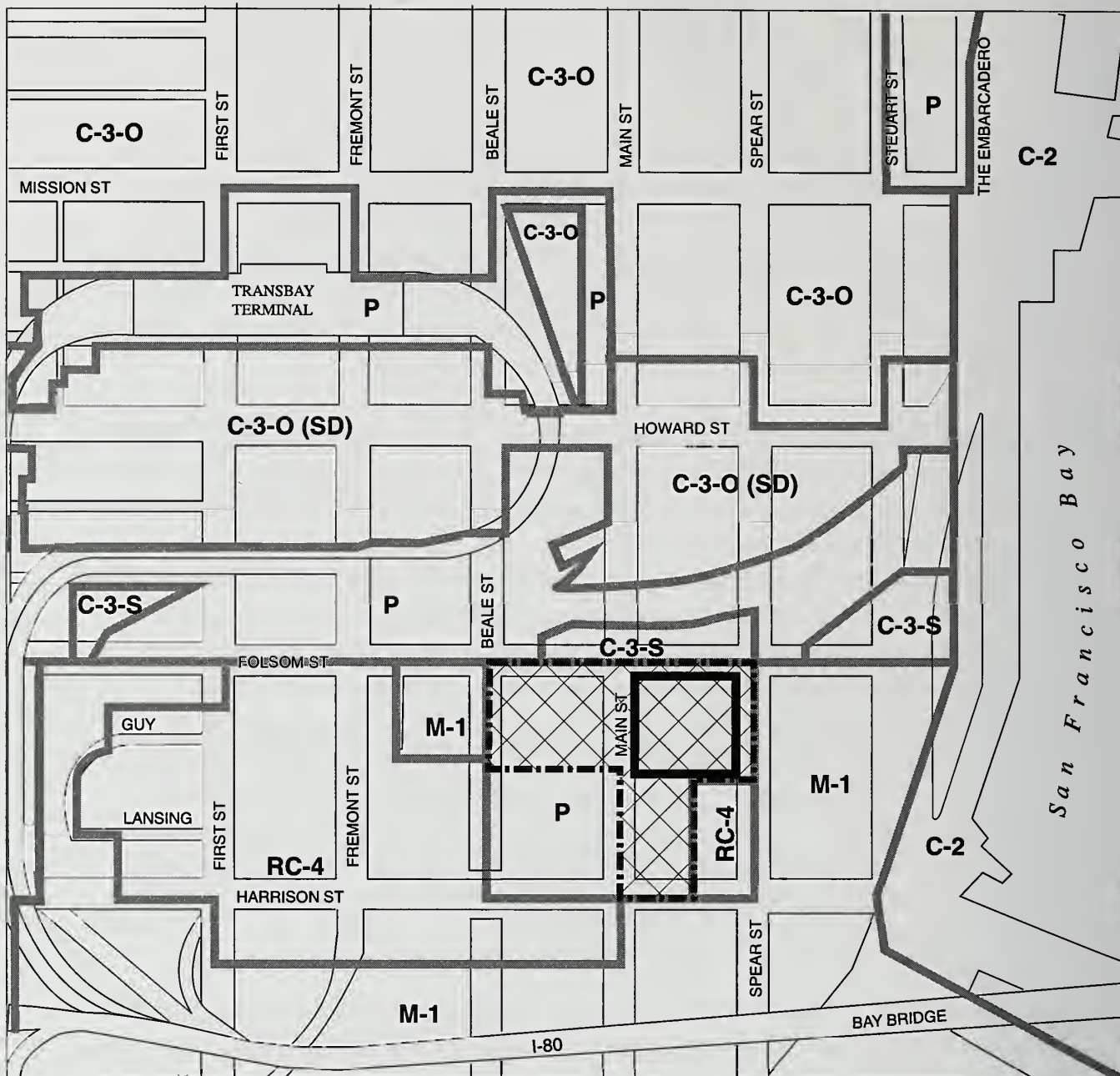
FIGURE 4: EXISTING HEIGHT AND BULK DISTRICTS IN PROJECT VICINITY

Lot 9 in Block 3745 would remain designated RC-4.⁴ The requested rezoning would also cover the northern half of Block 3746, which is currently part of Lot 1. The southern half of Block 3746, occupied by the United States Postal Service Annex, would remain as a P district. Three Height and Bulk Districts cover the existing P district: 200-R on the northern half of both Blocks 3745 and 3746, 105-R on the southern half of Block 3745, and 150-R on the southern portion of Block 3746. Blocks 3745 and 3746 are in the Residential subdistrict of the Rincon Hill SUD and therefore subject to the provisions of Planning Code Section 249.1(c).

The requested rezoning would change most of the P district to RC-4 under the Rincon Hill SUD and would add a new Residential/Commercial subdistrict to the Rincon Hill SUD. (See Figure 5: Requested Zoning District and Figure 6: Requested Residential/Commercial Subdistrict in the Rincon Hill SUD.) Under Rincon Hill SUD controls, in Planning Code Section 249.1, the minimum residential-to-commercial ratio of 6:1 (six sq. ft. of residential space for every one sq. ft. of commercial space) that applies to the existing Residential subdistrict would be applied to the new Residential/Commercial subdistrict. The new Residential/Commercial subdistrict is requested with modifications and additions to permitted uses under RC-4 as established for the Residential subdistrict in Planning Code 249.1(c). Under the requested rezoning, the uses allowable in the Residential/Commercial subdistrict would be broader than the uses permitted in the current RC-4 zoning for the Residential subdistrict. Unlike the RC-4 district, all institutional and community facilities uses would be permitted as of right. In addition, vehicle storage and use would be subject to Planning Code Section 223(a), (m) and (p). Retail, office, home and business services and entertainment uses would be allowed subject to the overall 6:1 ratio between residential and commercial uses.

The rezoning request would establish requirements for parking at a maximum of one parking space per residential unit. Parking requirements for retail uses would be a maximum of one parking space per 500 sq. ft. of retail space for the first 60,000 sq. ft. of retail; parking for retail space in excess of 60,000 sq. ft. would be a maximum of one parking space per 1,500 sq. ft. of retail space. Parking requirements for office uses would be a maximum of one parking space per 1,500 sq. ft. of office space. Open space requirements would be at 1:50 for non-residential uses, and 36 sq. ft. of private open space per unit, with a ratio of 1.33 of common usable open space for each residential unit that may be substituted for private open space. Up to 40 percent of the open

⁴ The property at 345 Main Street is also in the P District. A Conditional Use authorization was approved in July 2000 for private telecommunications/utility use, as permitted in a P district. The building interior was substantially remodeled to accommodate this use. Because the site is privately owned, it has been included in the area to be rezoned, although no redevelopment of the site is contemplated in the reasonably foreseeable future.



LEGEND

SITE OF DEVELOPMENT PROJECT

REQUESTED RC-4 DISTRICT

ZONING BOUNDARY

RC-4 RESIDENTIAL-COMMERCIAL COMBINED DISTRICT, HIGH DENSITY

M-1 INDUSTRIAL DISTRICT

P PUBLIC USE DISTRICT

C-3-O, C-3-R, C-3-S, C-2 DOWNTOWN AND NEIGHBORHOOD COMMERCIAL DISTRICTS



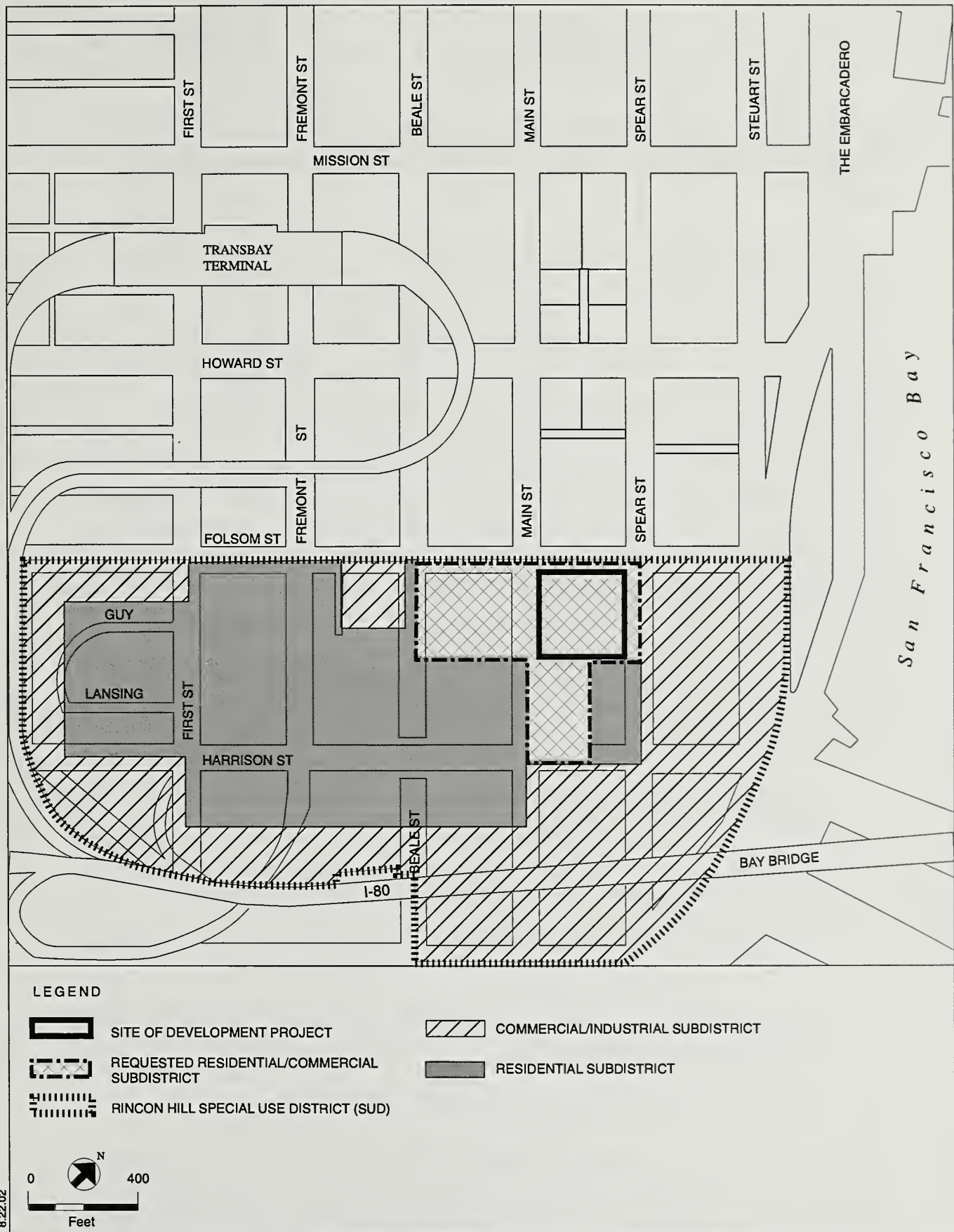
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SOURCE: San Francisco Planning Code and Turnstone Consulting

300 SPEAR STREET

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FIGURE 5: REQUESTED ZONING DISTRICT



300 SPEAR STREET

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FIGURE 6: REQUESTED RESIDENTIAL/COMMERCIAL SUBDISTRICT IN THE RINCON HILL SUD

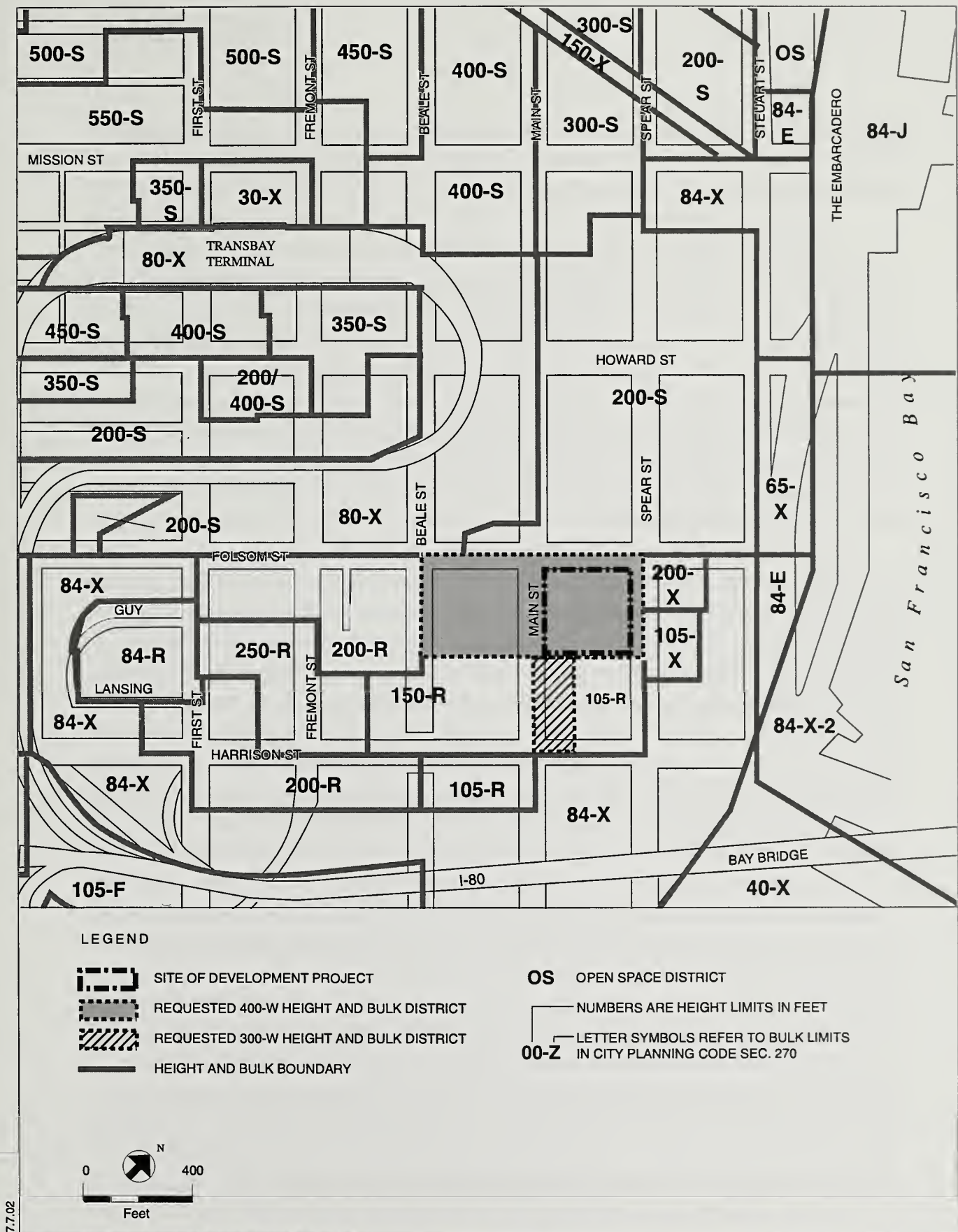
space requirement for residential uses may be met by providing private open spaces for the exclusive use of residents. (See Appendix B: Requested Amendments to Planning Code and General Plan.)

A height limit change from 105, 150 and 200 feet to 300 and 400 feet has been requested. (See Figure 7: Requested Height and Bulk Districts.) A minimum of a 50-foot height differential would be required between two towers proposed on the same site (that is if one tower is 400 feet, the other tower could be a maximum of 350 feet). The existing bulk limit would be changed from R to a new “W” bulk limit. The proposed bulk limits would establish a maximum plan length of 110 feet and a maximum diagonal length of 125 feet for buildings up to 300 feet tall, and a maximum plan length of 115 feet and a maximum diagonal length of 145 feet for buildings over 300 feet tall. A 10 percent volume reduction would be required for the upper portion of towers over 300 feet tall. Above the building base on Folsom Street, at least 50 percent of the 275-foot building frontage would be required to be set back a minimum of 12.5 feet. The rezoning would permit 100 percent site coverage for the building base. The rezoning request would establish requirements for a minimum separation of 82.5 feet between the towers above a height of 80 feet, if two towers are proposed on the same site.

General Plan amendments have been requested to address the new “Residential/ Commercial subdistrict” provisions and related changes within the *Rincon Hill Area Plan*. The amendments to the *Rincon Hill Area Plan* include:

- amending several Objectives to add reference to the proposed new Residential/ Commercial subdistrict and amending Map 3, “Land Use”;
- deleting portions of Objective 20 Policies that call for narrowing Main, Beale, and Spear Streets, and amending Map 5, “Publicly Accessible Open Space Opportunities”;
- revising separation-of-towers requirements for the proposed Residential/ Commercial subdistrict;
- revising the open space requirements for the proposed Residential/Commercial subdistrict of the Rincon Hill SUD; and
- revising height limits, including amending Map 4, “Height Limit.”

The changes requested would eliminate the planned reductions in the widths of Main, Beale and Spear Streets as recommended in Objective 13, Objective 22, and Objective 26 of the *Rincon Hill Area Plan*; would divide Rincon Hill into three subdistricts— Residential, Commercial/Industrial, and the requested Residential/Commercial— instead of the two included in Objective 3 Policies



SOURCE: San Francisco Planning Code and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 7: REQUESTED HEIGHT AND BULK DISTRICTS

of the *Rincon Hill Area Plan*; and would amend the Land Use Plan (Map 3) to show a new Residential/Commercial subdistrict covering the 300 Spear Street, 201 Folsom Street, and 345 Main Street lots.

A new section is requested to be added to Objective 3 Policies of the *Rincon Hill Area Plan* (before “Non-Conforming Uses”), describing the Residential/Commercial subdistrict, and applying the “Residential/Commercial” designation to those properties within the rezoning project area that were previously zoned “P” but that have been or are in the process of being sold to private entities for private development. The revision to the *Rincon Hill Area Plan* would recommend that the rezoning project area (consisting primarily of two large vacant sites) be developed predominantly with high-rise residential structures built over bases that would provide a combination of residential, retail and office uses. The request would amend Height Limits (Map 4) to reflect overall height limits of 300 feet and 400 feet for the requested Residential/Commercial subdistrict.

A sentence in the *Rincon Hill Area Plan*’s Objective 5 Policies, third paragraph, that recommends reducing parking requirements in the Rincon Hill area is requested to be deleted. This change is requested to make the *Rincon Hill Area Plan* parking requirements consistent with the existing Planning Code parking requirements for Rincon Hill that provide for at least one and no more than one parking space for each dwelling unit provided in the Residential subdistrict of the Rincon Hill SUD. Changes are requested to the text of Objective 26 of the *Rincon Hill Area Plan*, Policies, to reflect a parking ratio of one parking space per 500 sq. ft. for the first 60,000 sq. ft. of retail uses instead of a parking ratio of one parking space per 1,500 sq. ft. for all commercial uses. This change is requested to make the *Rincon Hill Area Plan* parking requirements consistent with the requirements in the requested rezoning.

A minimum separation of 82.5 feet between towers, measured above 80 feet in height, would be specified in the Residential/Commercial subdistrict. This 82.5-foot tower separation is based on the predominant street width in the project vicinity. Open space area requirements under Objective 20 Policies would be replaced with a new ratio of one net square foot of open space per 50 square feet of gross floor area for all non-residential uses, as well as a new ratio of 36 net square feet of private open space or a ratio of 1.33 of common usable open space that may be substituted for private open space for each residential unit. Sidewalk widening provided in the Plan for Assessors Blocks 3744 to 3748 would be eliminated for Blocks 3745 and 3746, and Map 6, “Pedestrian Street Locations.” The full text of the proposed new subdistrict is presented in Appendix B, Requested Amendments to the Planning Code and General Plan.

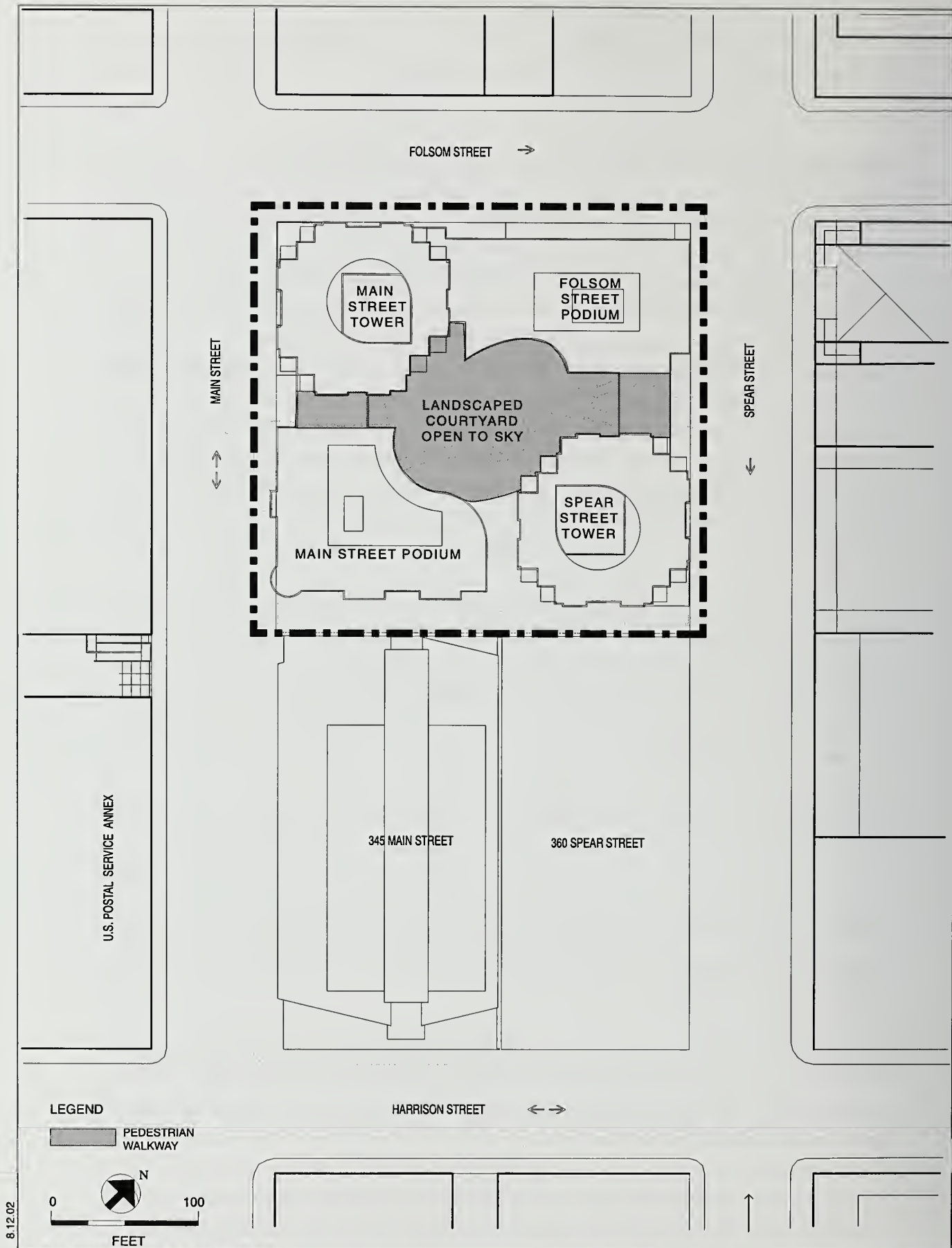
Development Project

The 300 Spear Street development project proposes to construct two L-shaped building bases, the Folsom Street podium and the Main Street podium. The Folsom Street podium would front Folsom and Spear Streets and extend south to the rear property line; the Main Street podium would front Main and Folsom Streets and extend south to the rear property line. Due to a grade change on the development site, the Folsom Street podium would be eight stories and the Main Street podium would be nine stories; both podiums would be built to the requested 80-foot height limit. A centrally located landscaped courtyard would be enclosed by the two podiums, open to the sky beginning at the courtyard (third) level. This courtyard would consist of a lower courtyard area (about 16 feet above grade) and an upper courtyard area (about 20 feet above grade). The courtyard level would be accessible from the Spear Street level porte cochere via stairs and an elevator, and from the Main Street level porte cochere via stairs. A pedestrian walkway connecting Spear and Main Streets would extend through the middle of the development site and would include the landscaped courtyard. Another 20- to 30-foot-wide pedestrian walkway, accessible from the upper courtyard, would be located above the parking driveway and would abut the rear property line. This rear pedestrian walkway would create a separation between the proposed development and existing buildings at 345 Main Street and 360 Spear Street to the rear of the property beginning at the courtyard level, and would provide access to some of the residential units on this level. A five-level subsurface parking garage would be under the entire development site.

Above the podiums, two towers, the Spear Street tower and the Main Street tower, would rise to total heights of approximately 400 feet and 350 feet above street level, respectively, excluding mechanical penthouses and flagpoles. (See Figure 8: Development Project Site Plan.) The Spear Street tower would rise above the eight-story Folsom Street podium from the 9th to the 41st level, and the Main Street tower would rise above the nine-story Main Street podium from the 10th to the 36th level. The podiums would contain residential, office, and retail uses while the towers would contain residential uses.

The proposed development would be designed as a master-planned mixed-use development with a consistent architectural theme and identity. The floor area in the development project, by use, would be approximately 1,000,000 gsf for up to 820 residential units, about 60,000 gsf of retail space, and about 50,000 gsf of office space.

The development would provide approximately 960 parking spaces for residential and commercial uses. The residential development is anticipated to be a mix of studios, and one-,



SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

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FIGURE 8: DEVELOPMENT PROJECT SITE PLAN

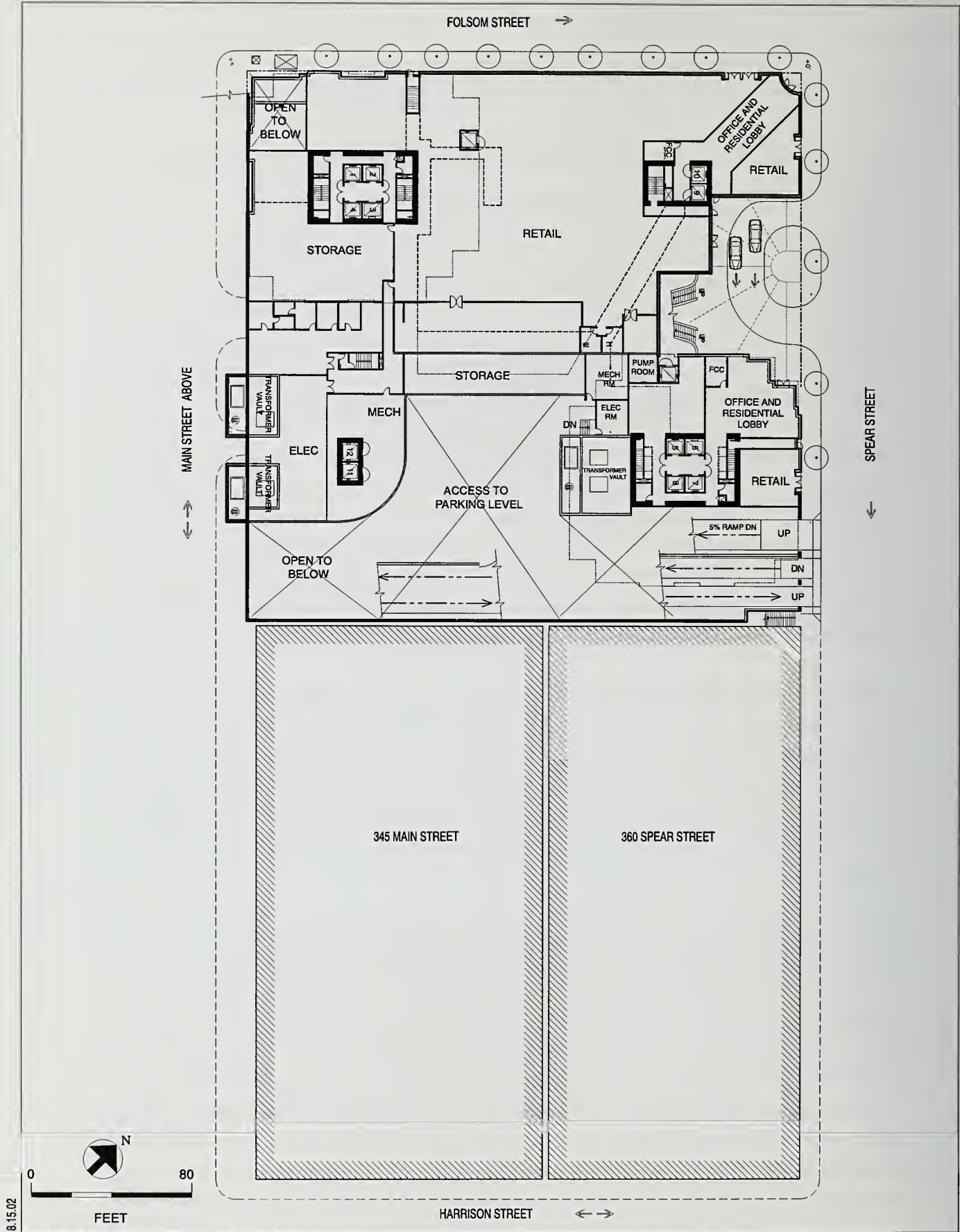
two- and three-bedroom units. The prospective retail space is anticipated to be predominantly neighborhood-serving businesses.

At the Spear Street level, the building would occupy almost the entire development site and would include retail spaces, residential and office lobbies, circulation space, services, and access to subsurface parking. (See Figure 9: Spear-Street Level.) The double-height retail spaces and lobbies would front on and be accessible from Spear and Folsom Street sidewalks. The porte cochere on Spear Street would provide passenger loading for residential, retail and office uses as well as access to the courtyard level.

Development at the Main Street level would include office and residential lobbies, an area for loading docks to the rear of the development site, circulation space, and services. (See Figure 10: Main-Street Level.) Passenger loading for residential entrances on Main Street level, as well as access to the courtyard level, would be via a porte cochere on Main Street. Development at the Main Street level would be at-grade with the Main Street sidewalk because the development site slopes up to the west. The project would request white-curb, on-street passenger loading zones (“white zones”) along both the Spear and Main Street frontages.

The Folsom Street podium would have office space, an event space, a fitness center, an activity room, an indoor pool, and spa for the use of residents at the courtyard level. (See Figure 11: Courtyard Level.) At the courtyard level, the Main Street podium would be occupied by retail uses, office space, a community room, and residential units. Both podiums would be occupied by office space and residential units at the fourth level. (See Figure 12: Fourth Level.) Residential units would be located above the fourth level in both podiums. The towers would be entirely residential.

As shown in Figure 8: Development Project Site Plan and Figure 11: Courtyard Level, a pedestrian walkway extending through the middle of the development site, parallel to Folsom Street and connected to Main and Spear Streets, would lead to the centrally located oval-shaped, landscaped open courtyard at the courtyard level. The courtyard would incorporate landscape features such as trees, grass, stone paving and a waterfall. Landscaped steps and an elevator would connect the Spear Street-level porte cochere to the lower courtyard; landscaped steps would also connect the Main Street-level porte cochere to the lower courtyard. Landscaped steps and a ramp would connect the lower courtyard to the upper courtyard, and the upper courtyard would lead to the 20- to 30-foot-wide rear pedestrian walkway. The entrances to the courtyard would be bridged above the fifth level; from the fifth through the ninth levels, the podiums would

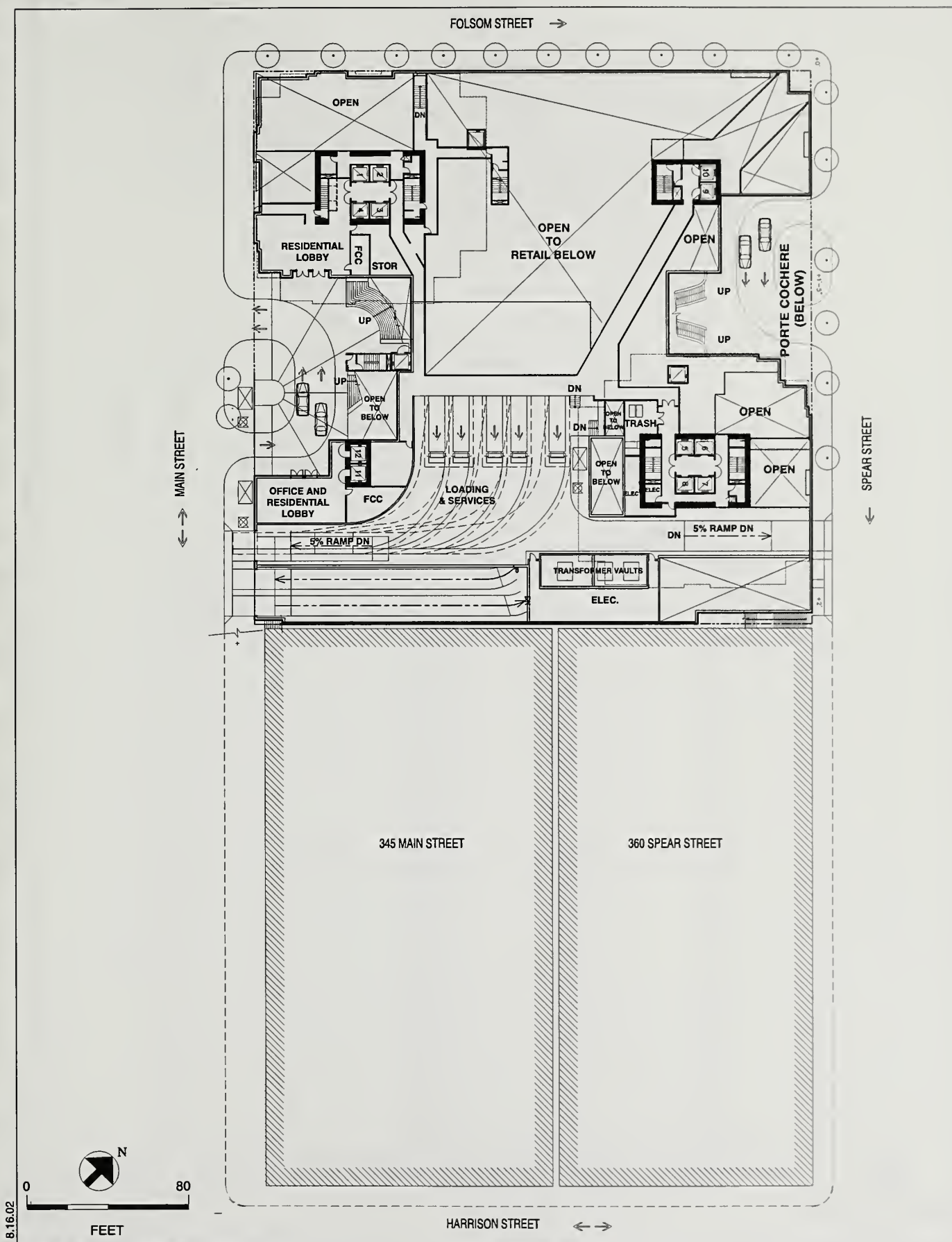


SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

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FIGURE 9: SPEAR-STREET LEVEL



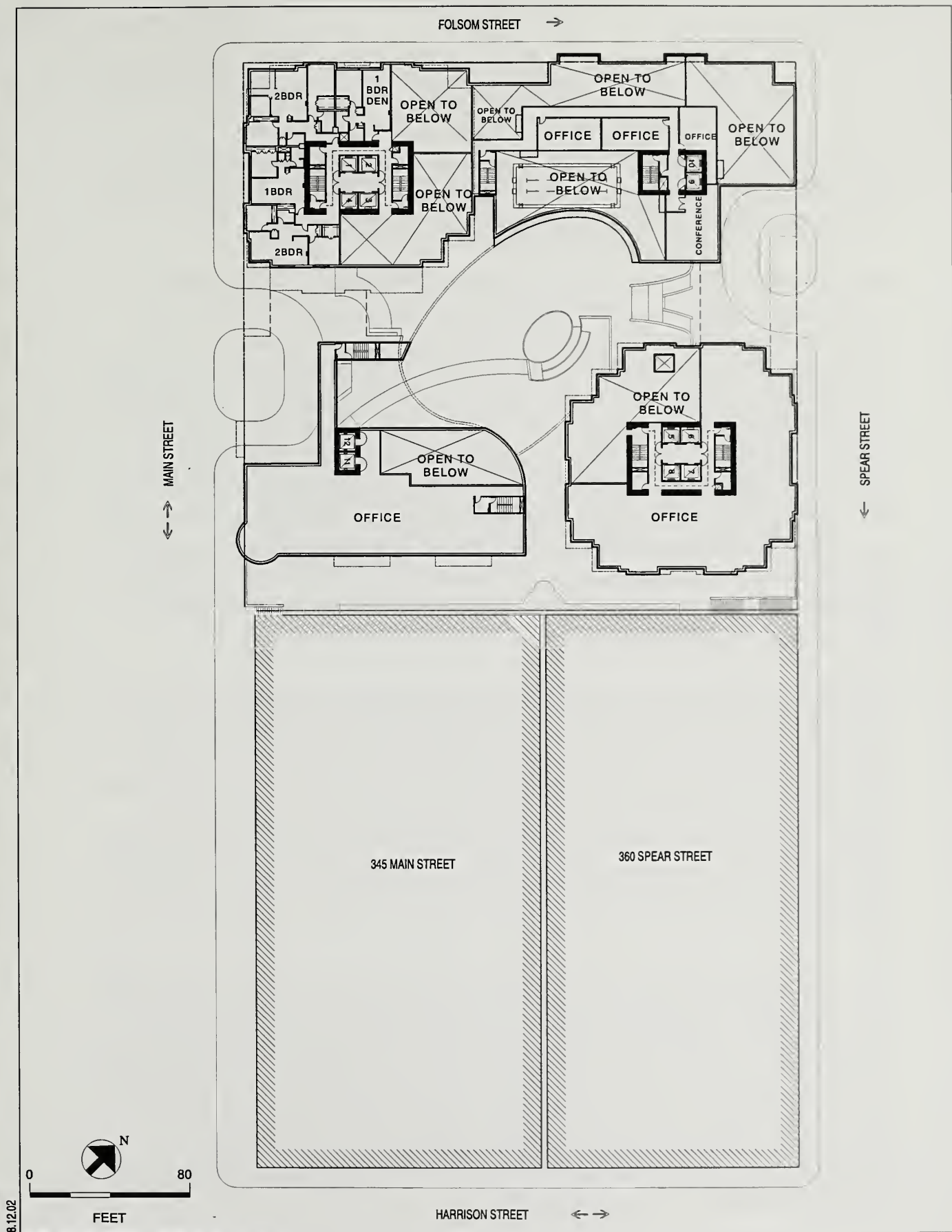
SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

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FIGURE 10: MAIN-STREET LEVEL

● NOTE: See Figure 21a: Revised Project Main-Street Level on p. 56b.



SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 12: FOURTH LEVEL

surround the open-to-sky oval-shaped internal courtyard. (See Figure 13: Typical Fifth and Sixth Levels, Figure 14: Typical Seventh and Eighth Levels, Figure 15: Ninth Level, and Figure 16: North-South Building Section Through Courtyard.)

Setbacks would occur at the Spear Street, Main Street, courtyard, fifth, and seventh levels, creating terraces. At the Spear Street level, the Folsom Street podium would be built to the sidewalks fronting Folsom and Spear Streets, with the exception of the recessed corner at the intersection of Folsom and Spear Streets and the setback for the porte cochere along Spear Street. At the Main Street level, the Main Street podium would be built to the sidewalks fronting Folsom and Main Streets, with the exception of small setbacks at the intersection of Folsom and Main Streets and the setback for the porte cochere along Main Street. At the courtyard level, the Folsom Street podium would have a 40-foot-long terrace approximately mid block along Folsom Street. As shown in Figure 13: Typical Fifth and Sixth Levels, the Folsom Street podium would be set back at the fifth level to provide an internal terrace for residential units overlooking the landscaped courtyard. As shown in Figure 14: Typical Seventh and Eighth Levels, a setback at the seventh level of the Folsom Street podium would create a terrace extending for about 50 percent of the Folsom Street frontage.

Two high-rise residential towers would be built above the podiums. The towers would be set at the diagonal corners of the development site for the greatest separation between towers. (See Figure 17: Typical Tower Level.) The tower fronting Main Street at Folsom Street (the Main Street tower) would be about 350 feet tall from the ground, and the tower fronting on Spear Street near the southern property line (the Spear Street tower) would be about 400 feet tall from the ground. (See Figures 18, 19, and 20: Spear Street Elevation, Main Street Elevation and Folsom Street Elevation.) Each tower would have a maximum plan length of 115 feet and a maximum diagonal dimension of 145 feet. At the closest point, the towers would be a minimum of 82.5 feet apart.

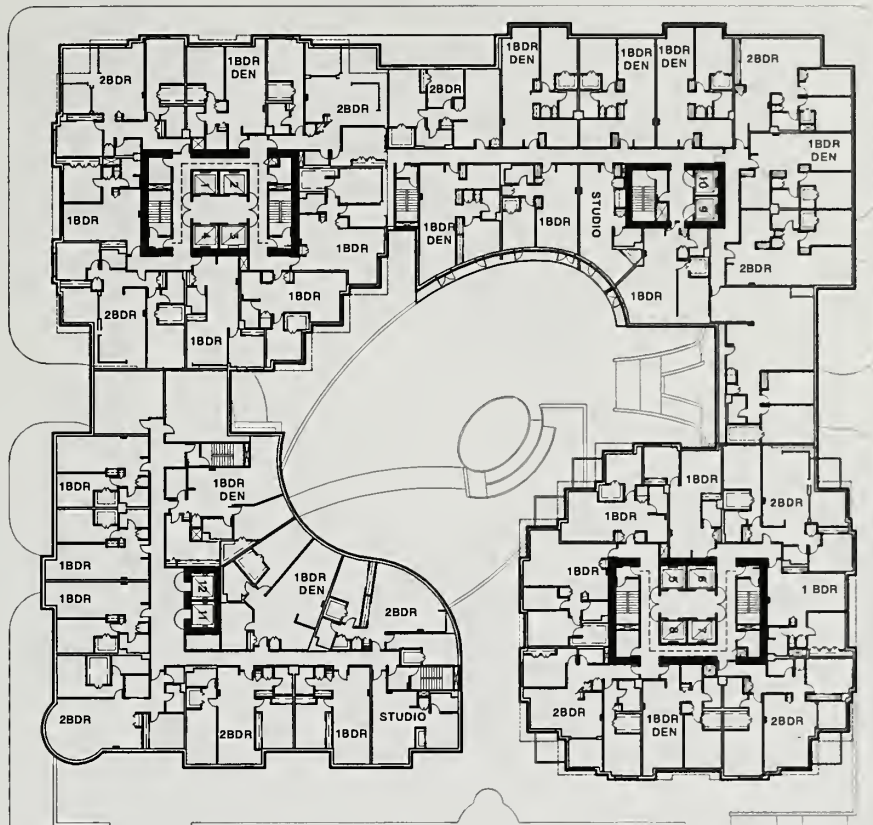
The towers would have stepped and tapered silhouettes; the mass of each tower would be reduced at the upper levels. At the ninth and tenth levels, the Spear Street tower and the Main Street tower, respectively, would be set back at all four corners. Beginning at the 25th level, portions of the Main Street tower would be further set back on the east, south, and west sides. Beginning at the 30th level, portions of the Spear Street tower would be further set back from the east, north, and west sides. As seen in the building elevations in Figures 18 to 20, architectural ornamentation in the form of flagpoles would rise above each of the towers. The flagpoles would conform to Planning Code Section 260(b)(2)(H).

FOLSOM STREET →

MAIN STREET



SPEAR STREET



345 MAIN STREET

360 SPEAR STREET



0 80
FEET

HARRISON STREET ↔

SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

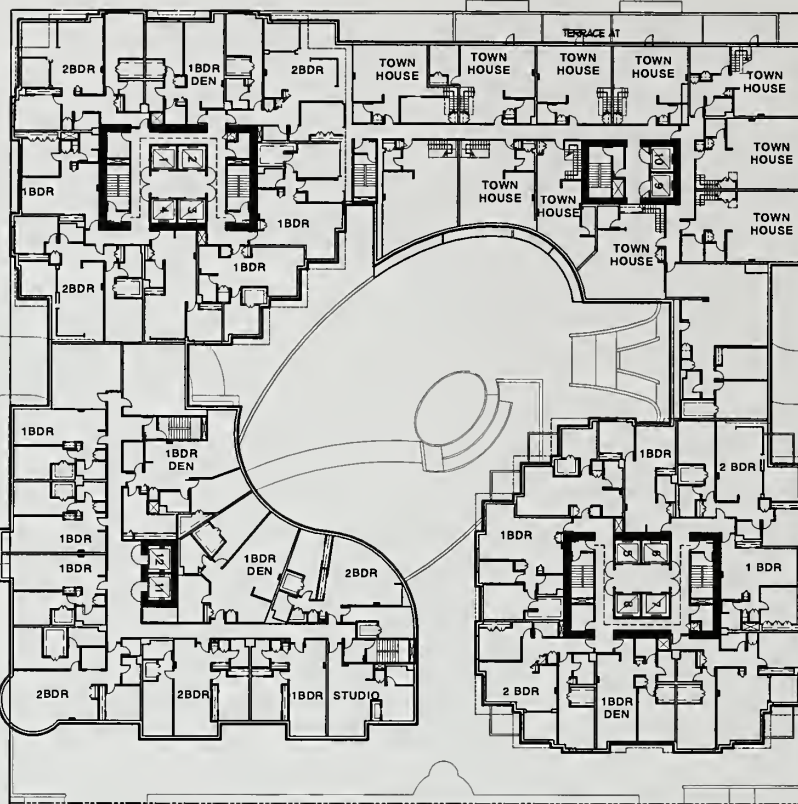
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FIGURE 13: TYPICAL FIFTH AND SIXTH LEVELS

FOLSOM STREET →

MAIN STREET
↔

SPEAR STREET
↓



345 MAIN STREET

360 SPEAR STREET

HARRISON STREET
↔



0 80
FEET

8.12.02

SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

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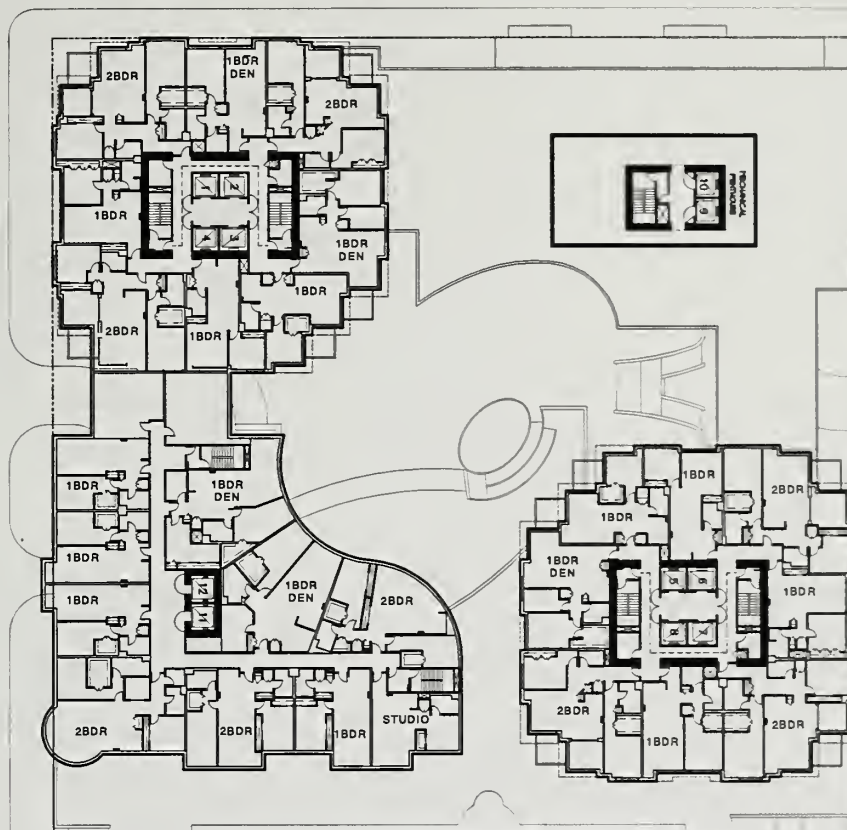
FIGURE 14: TYPICAL SEVENTH AND EIGHTH LEVELS

FOLSOM STREET →

MAIN STREET



SPEAR STREET



345 MAIN STREET

360 SPEAR STREET

HARRISON STREET ← →



0 80

FEET

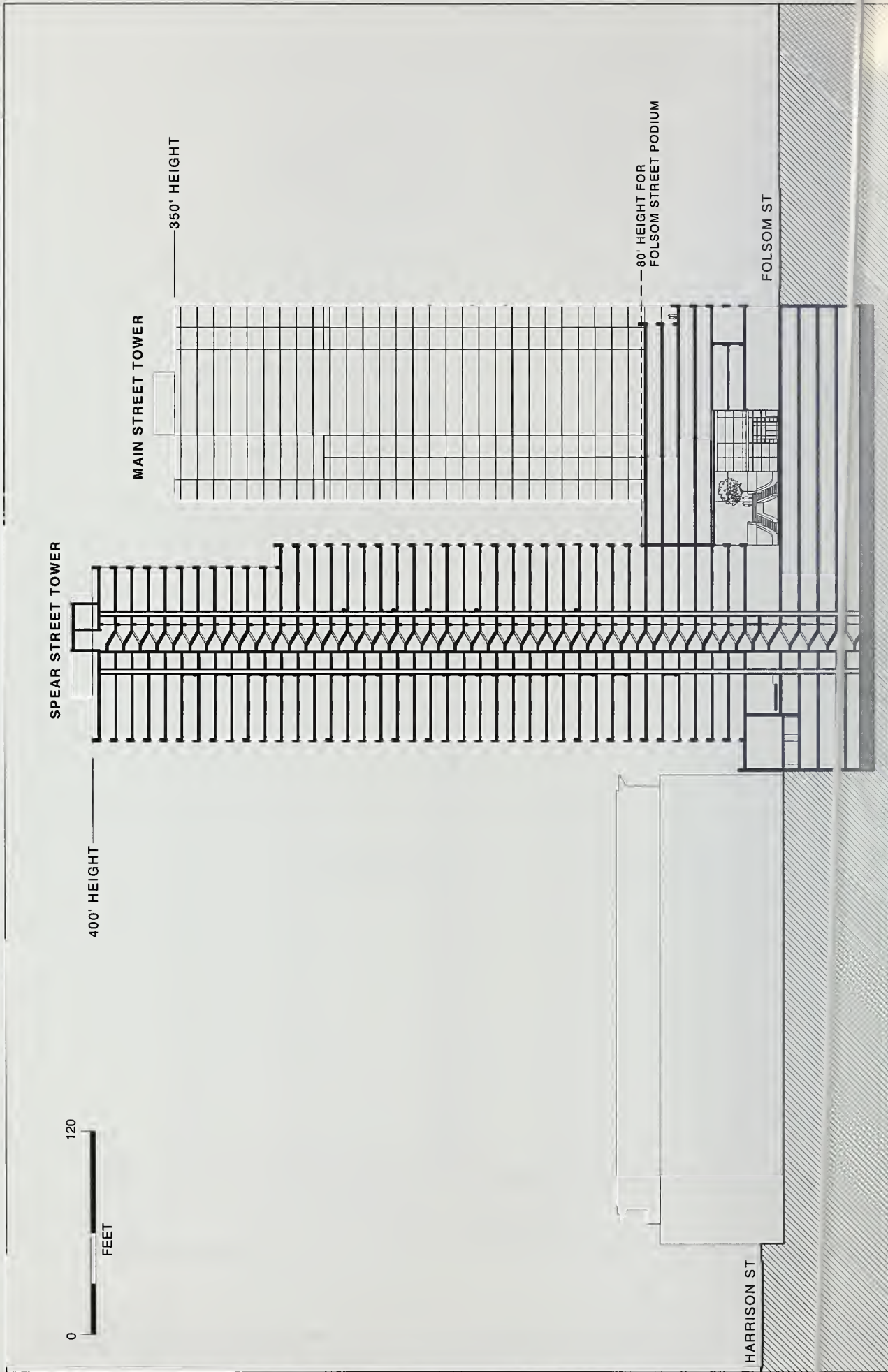
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SOURCE: Heller • Manus and Turnstone Consulting

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FIGURE 15: NINTH LEVEL

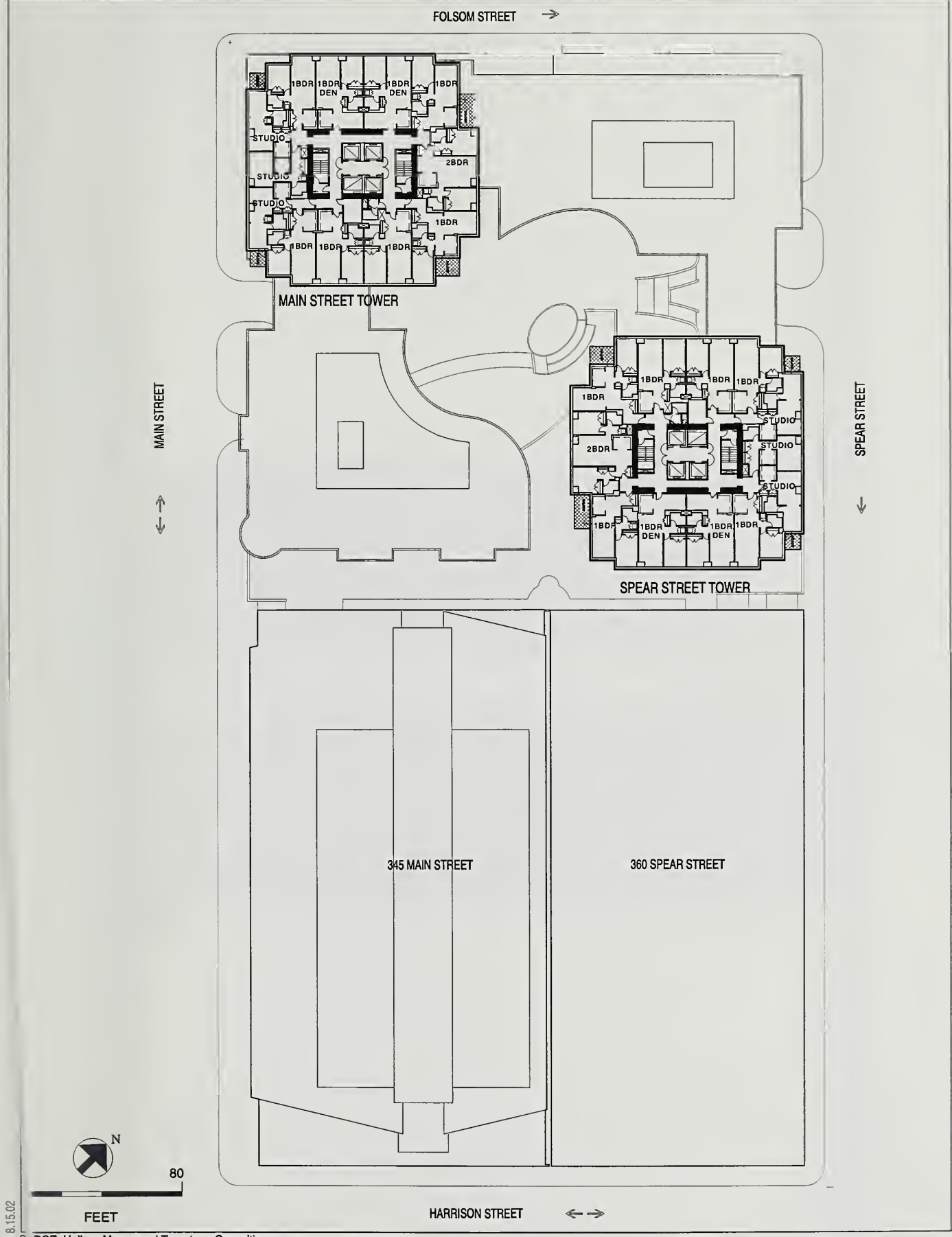


SOURCE: Heller + Manus and Turnstone Consulting

300 SPEAR STREET

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FIGURE 16: NORTH-SOUTH BUILDING SECTION THROUGH COURTYARD
 ● NOTE: See Figure 21c: Revised Project Building Section on p. 56e.

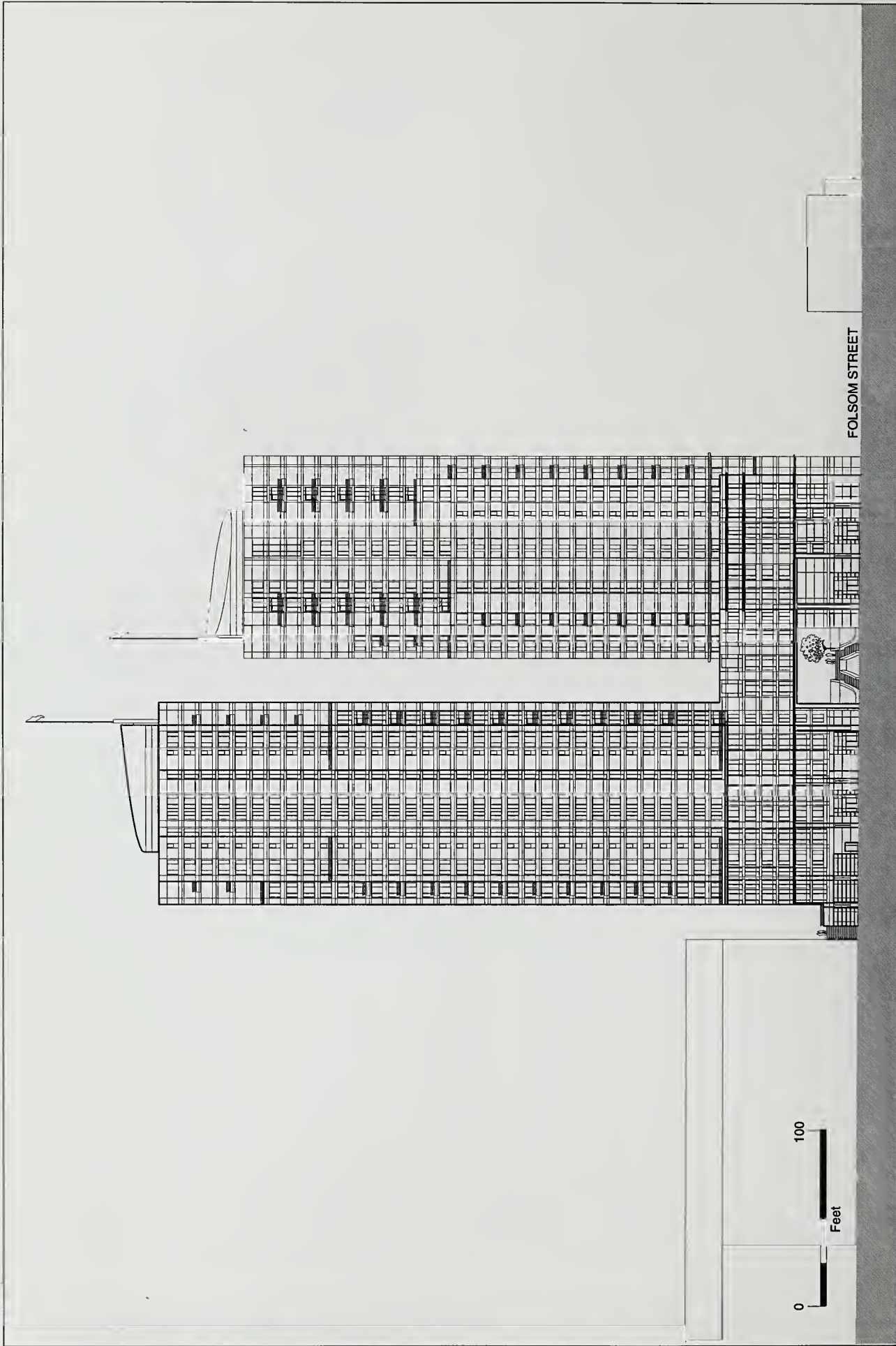


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S RCE: Heller • Manus and Turnstone Consulting

3 SPEAR STREET
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FIGURE 17: TYPICAL TOWER LEVEL

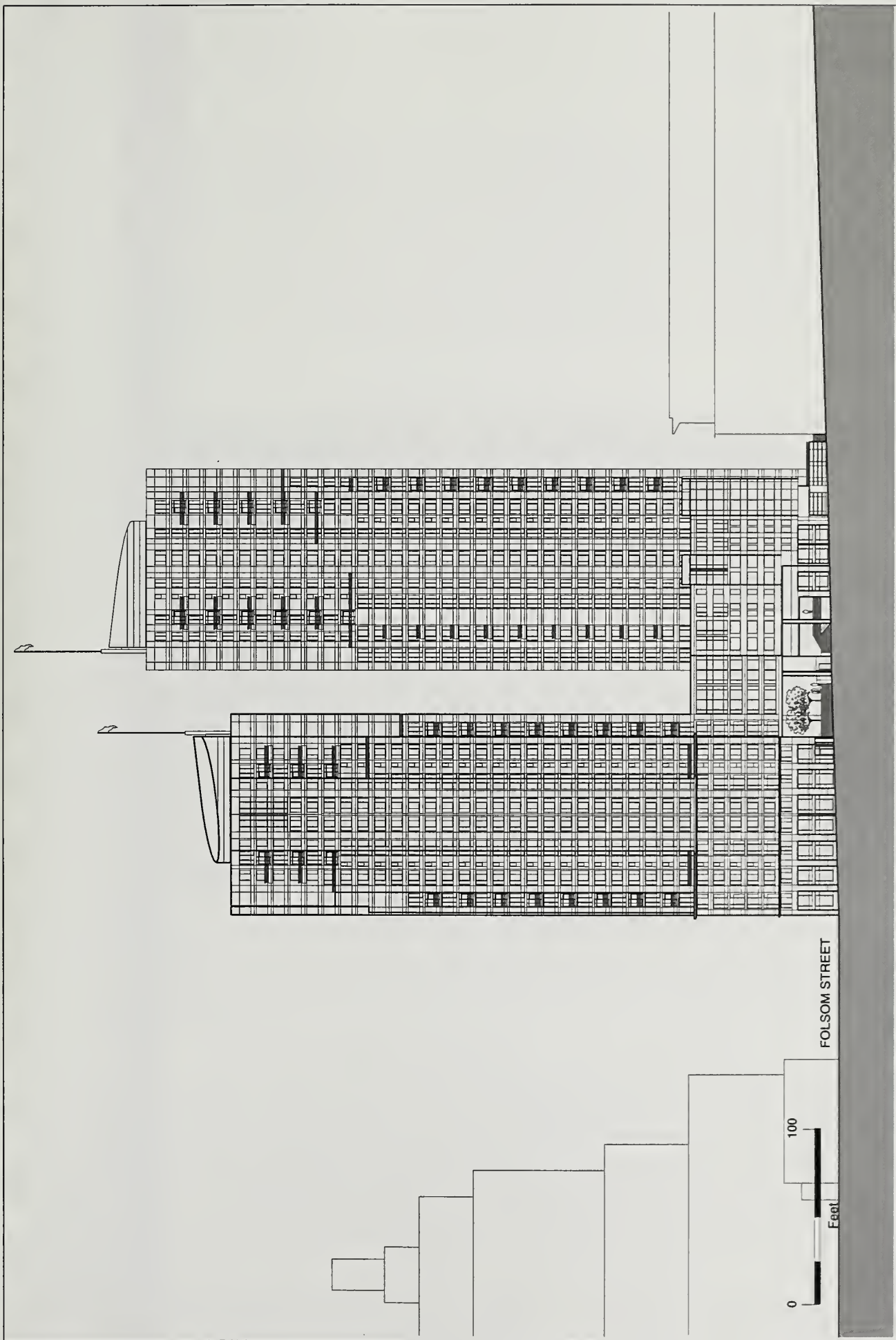


SOURCE: Heller • Manus and Turnstone Consulting

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FIGURE 18: SPEAR STREET ELEVATION

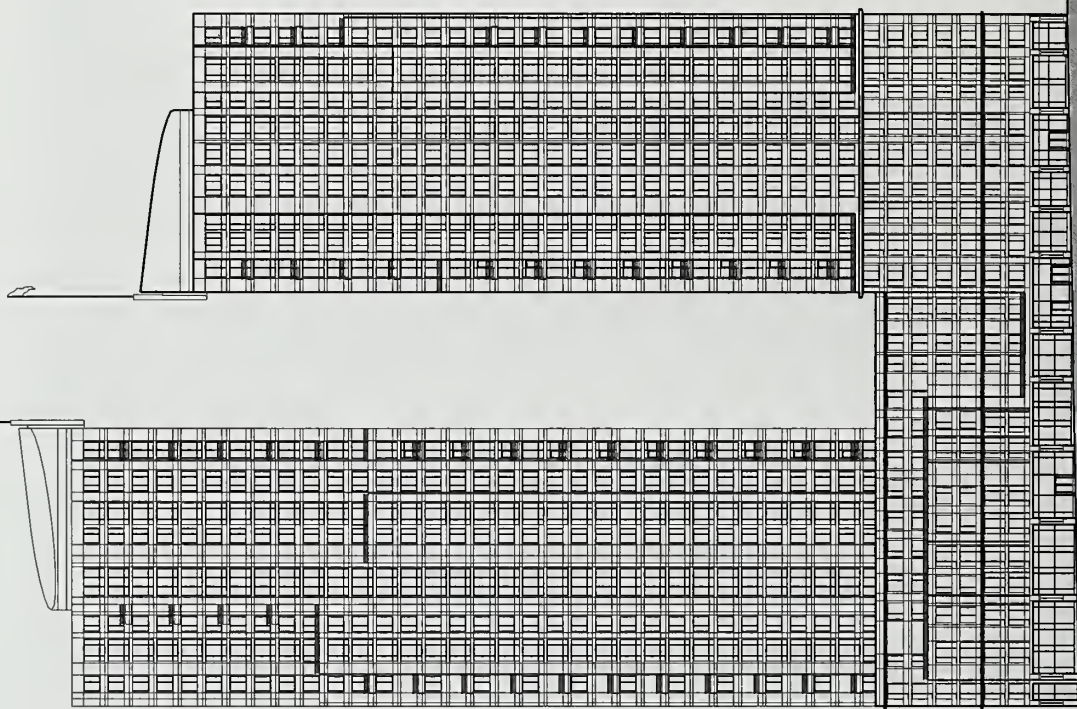


SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

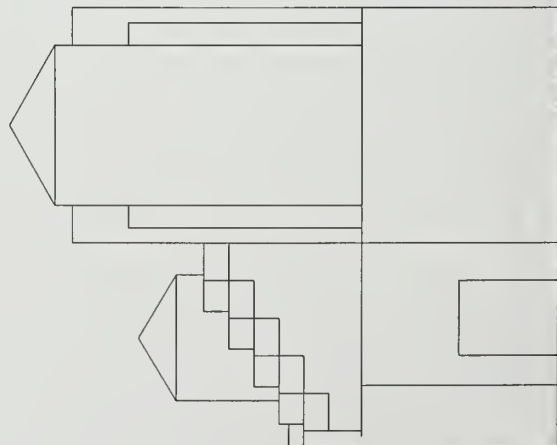
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FIGURE 19: MAIN STREET ELEVATION



MAIN STREET

SPEAR STREET



SOURCE: Heller • Manus and Turnstone Consulting

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2000.1090E

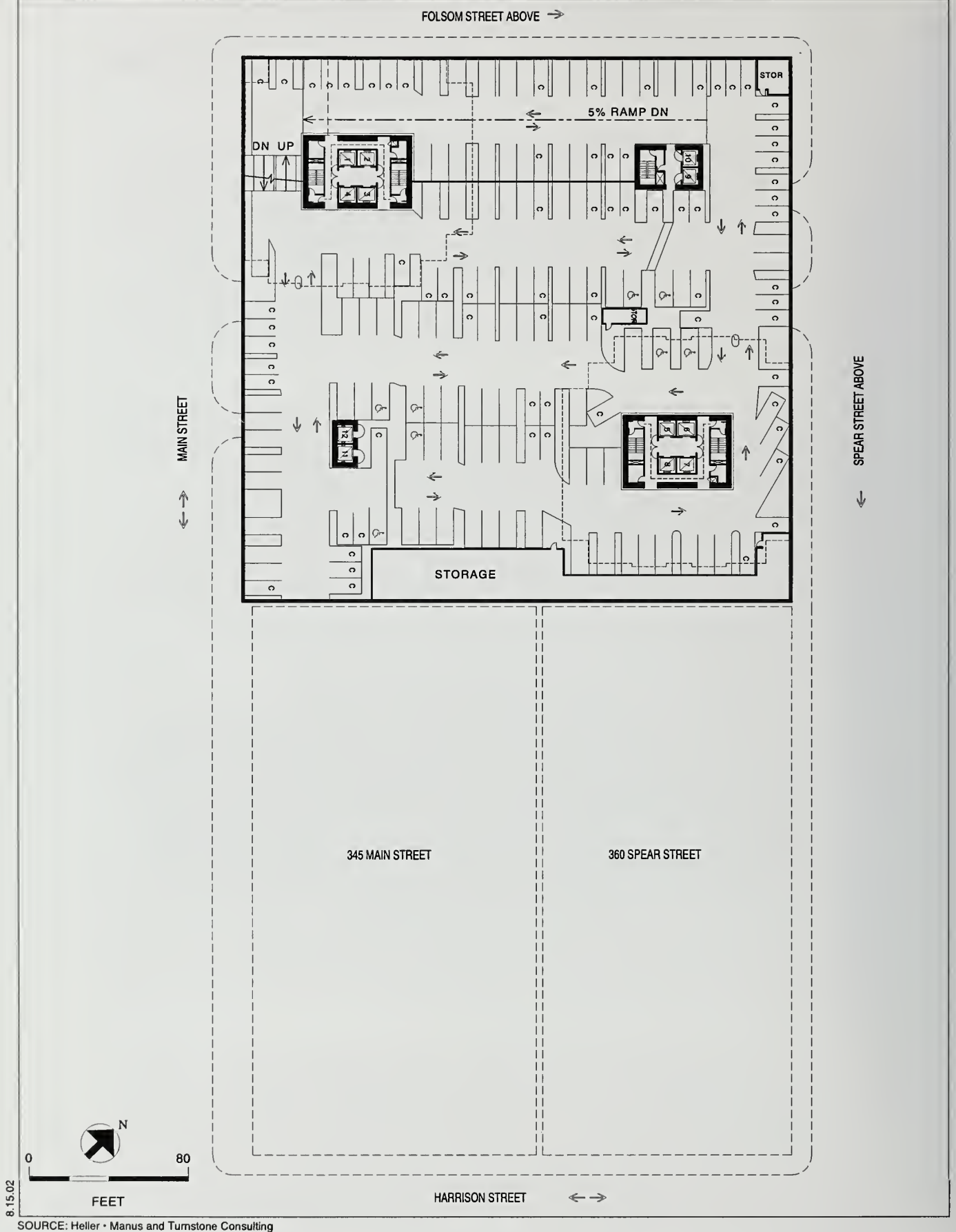
FIGURE 20: FOLSOM STREET ELEVATION

The development project would provide approximately 33,800 gsf of common open space and approximately 7,500 gsf of private open space for the use of building residents. Common open space would be provided at the courtyard level, and would include the approximately 19,900-gsf landscaped courtyard, and about 13,900 gsf of open space in the form of activity/exercise areas for the use of residents on this level. Private open space, provided in the form of patios and balconies at the setbacks, would be accessed from individual residences on various levels. The development would also provide approximately 3,300 gsf of common open space at the Spear Street-level porte cochere.

The parking garage would include about 820 parking spaces for residential uses and about 140 parking spaces for retail and office uses, for a total of about 960 spaces. Parking designated for the retail and office uses would be on the first subsurface level (Level B1), while residential/parking would be located on the lower levels (Levels B2 to B5). (See Figure 21: Typical Basement Level.) The residential parking would be separated from the commercial parking by a controlled access point. The development would provide handicapped-accessible parking and secure bicycle parking. Access to parking for both the residential and commercial uses would be from a 27-foot-wide enclosed driveway that would run the length of the development site from Spear Street to Main Street, along the south edge of the site. The parking driveway would be accessible from the Spear Street and Main Street levels.

Five off-street freight loading spaces, with maneuvering area, would be provided for residential and commercial uses behind the double-height retail space near the south end of the development site. Each loading dock would be approximately 12 feet wide and 35 feet long, with a 14-foot vertical clearance. Garbage facilities would also be located behind the double-height retail space, near the loading docks. Access to the Main Street-level loading docks and garbage facilities would be provided via a ramp adjacent to the parking garage driveway from Main Street through the southwest corner of the development site. The proposed entrances to underground parking, loading docks and porte cocheres would not require the removal of any existing on-street parking spaces because there are presently driveways along both Spear and Main Streets for the existing surface parking lot.

A variety of materials, such as stone, precast concrete, metal and lightly tinted glass, would be used in the facade. The design of the exterior skin of the building bases and the towers would employ a combination of precast concrete elements, glass curtain-wall system, recessed window units, and terraces and balconies. The columns at the ground level would have stone bases. At the upper levels, the tower elevations would have slender proportions and would use vertical precast concrete piers and a glass curtain wall finish to create a sense of lightness and transparency.



300 SPEAR STREET

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FIGURE 21: TYPICAL BASEMENT LEVEL

● E. PROPOSED REVISIONS TO THE PROJECT

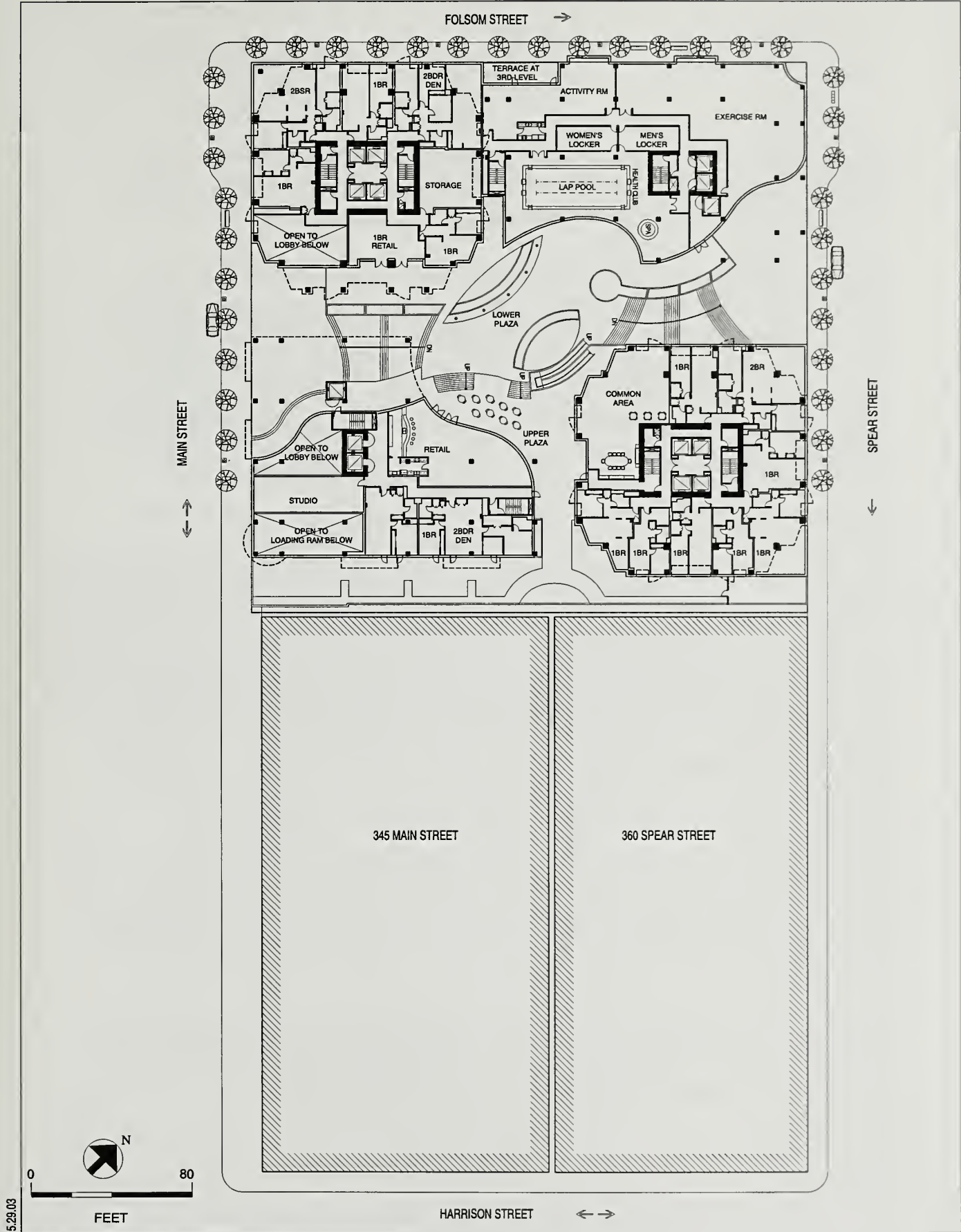
Subsequent to publication of the Draft EIR, the project sponsor revised the development project and made minor changes and clarifications to requested amendments to Planning Code text. Requested amendments to height and bulk limits and the zoning map have not changed from those analyzed in the EIR.

● Revised Development Project

The revised development project would be a high-rise residential building with 720 to 820 residential units in 915,000 gsf of space and 36,000 gsf of retail space. It would provide about 890 parking spaces (820 spaces for residential and 70 spaces for commercial uses) in six levels of subsurface parking. The revised project would provide about 49,375 gsf of common open space on podium rooftops and in the form of an interior courtyard; up to 8,355 gsf of private open space; and about 700 gsf of publicly accessible open space to meet requirements for the retail use.

The proposed revisions would reduce retail gross square footage by 24,000 gsf and eliminate all of the office space. The revised development project would include 70 fewer parking spaces. The parking layout has been redesigned, so there would be six subsurface levels instead of five. It would increase common and private open space by 15,575 gsf and 850 gsf, respectively; it would reduce publicly accessible open space by 2,600 sq. ft. It would include up to the same number of residential units as were analyzed in the Draft EIR (820 units). The design of the development project would be similar to the Draft EIR proposal, with two residential towers rising above two 80-foot-tall building bases or podiums (the Main Street and Folsom Street podiums) to total heights of about 350 and 400 feet above the ground level, respectively. The podiums would enclose an interior landscaped courtyard. Rather than porte cocheres on Spear and Main Streets, the revised development proposes vehicle pull-outs on Main and Spear Streets adjacent to the open areas leading to residential lobbies. (See Figure 21a: Revised Project Main Street Level, and Figure 21b: Revised Project Courtyard Level.)

Retail spaces, lobbies and services in the revised development project would occupy first, second and third levels of both podiums; the rest of the podium floor space would be occupied by residential uses. Both Main and Spear Street towers would remain entirely residential. The podiums would be designed as rectangular buildings. The Folsom Street podium would be sited on the northern portion of the property and would front Folsom and Spear Streets, and the interior courtyard. The Main Street podium would be sited on the southern portion of the property and would front Main Street and the interior courtyard. The podiums would no longer bridge over the



SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

2000.1090E

● FIGURE 21b: REVISED PROJECT COURTYARD LEVEL

pedestrian walkway leading from Main and Spear Streets to the landscaped courtyard. From Main and Spear Streets, the project would appear to be two separate buildings with a connecting central open space. (See Figure 21c: Revised Project Building Section.)

Residential units in the towers would be designed to have a combination bay window/balcony. With the addition of bay windows/balconies to residential units in the towers, each tower would have a maximum plan length of 121 feet and a maximum diagonal of 134 feet, rather than 115 feet and 140 feet, respectively, for the project as analyzed in the Draft EIR. As with the Draft EIR project, the towers would step back at the top and would be at least 82.5 feet apart at their bases. In the revised development project, the towers would have flat roofs, and flagpoles would not be placed at the top of each tower.

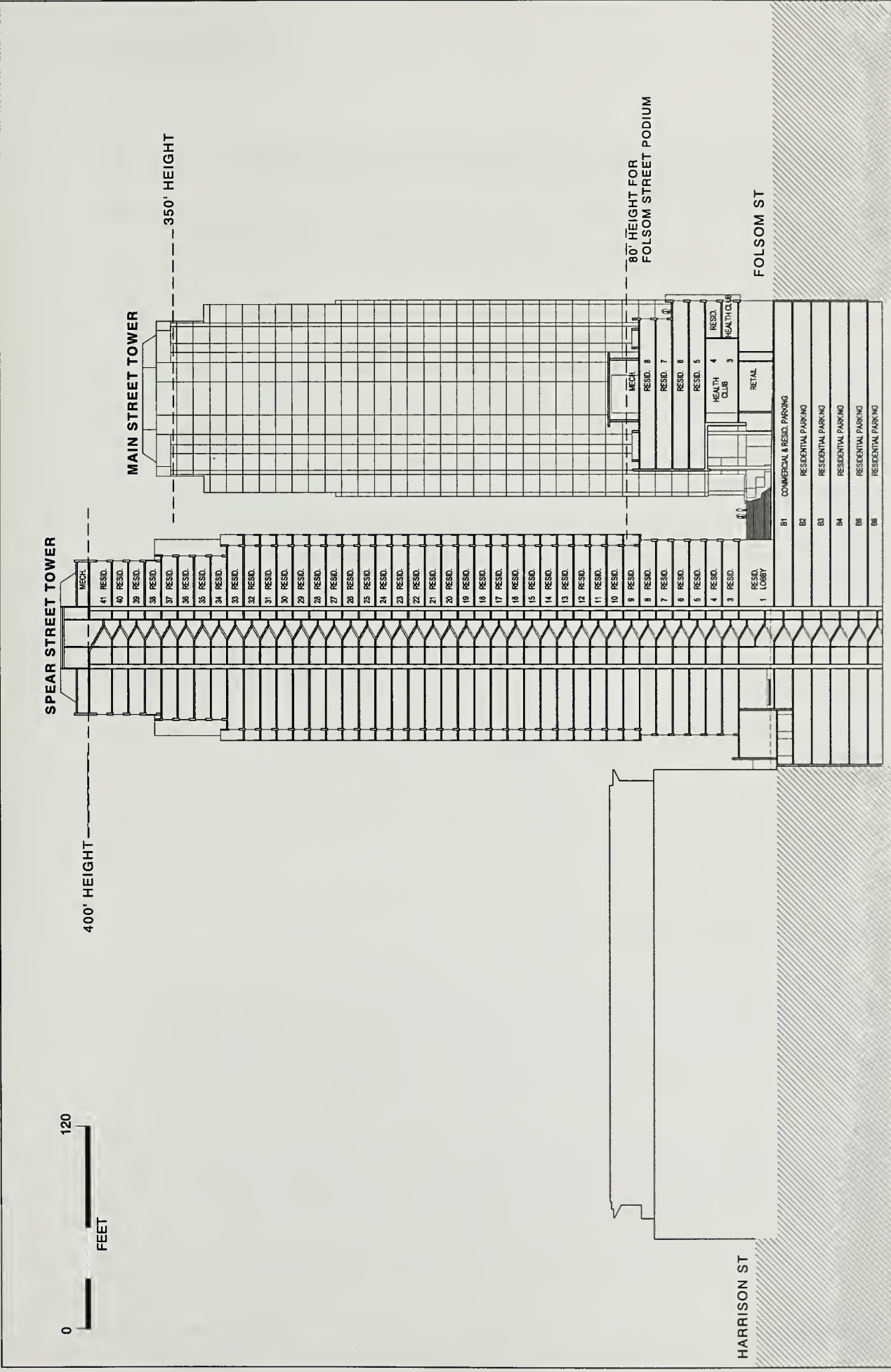
Table A shows a comparison of the Draft EIR development project and the revised development project.

● Revised Requested Rezoning Project

The project sponsor has also made minor changes and clarifications to the requested Planning Code text amendments included in Appendix B of the EIR.⁴ For new construction, maximum non-residential FAR would be reduced from the 5:1 originally proposed to 0.75:1. The minimum residential parking requirement of 1 space per unit would be deleted, but 1 space per unit would still be allowed. Maximum base height would be increased from 80 feet to 85 feet, and other provisions using the base height would be changed to be consistent. Affordable housing provisions specific to the proposal would be deleted; the rezoning area would be subject to citywide inclusionary housing requirements. The changes would clarify that residential open space in the rezoning area is not subject to Section 135 of the Code and that limits in the Rincon Hill SUD on parking in portions of buildings near Folsom and other streets only apply to parking at street grade.

The reduced non-residential FAR would limit non-residential floor area in a development project on the 300 Spear Street site to approximately 56,720 square feet; the revised development project evaluated here would contain about 36,000 gsf of non-residential uses (retail).

⁴ The requested Planning Code text amendments, as revised, are on file at the San Francisco Planning Department, 1660 Mission Street, and are available for review, by appointment, as part of the project file.



SOURCE: Heller • Manus and Tumstone Consulting

300 SPEAR STREET

2000 1090E

● FIGURE 21c: REVISED PROJECT BUILDING SECTION

● **Table A: Comparison of the Draft EIR Development Project to the Revised Development Project**

<u>Characteristic</u>	<u>Draft EIR Proposal</u>	<u>Revised Proposal</u>
Height		
Main Street Tower	350 feet	350 feet
Spear Street Tower	400 feet	400 feet
Number of Stories		
Main Street Tower	36 stories	36 stories
Spear Street Tower	41 stories	41 stories
Parking Levels	5 levels below grade	6 levels below grade
Number of Residential Units	Up to 820 units	Up to 820 units
Retail Space	60,000 gsf	36,000 gsf
Office Space	50,000 gsf	none
Open Space		
Publicly Accessible	3,300 gsf	700 gsf
Residential Common	33,800 gsf	49,375 gsf
Residential Private	7,500 gsf	up to 8,355 gsf
Number of Parking Spaces		
Residential	820	820
Commercial	<u>140</u>	<u>70</u>
<i>Total</i>	960	890
Number of Loading Docks	5	5

Source: Heller • Manus, Turnstone Consulting

● **Approvals Required for Revised Project**

The revised development project would require the same approvals identified for the project on pp. 57-58 of the EIR. In addition to these approvals, the revised project would also require an exception to bulk limits for the two towers. According to the new “W” bulk limits requested by the rezoning project, the maximum plan length permitted for buildings between 300 and 400 feet tall would be 115 feet, and the maximum diagonal dimension permitted would be 145 feet. If the rezoning controls requested by the project were approved, the new “W” bulk limits would apply to the proposed 300 Spear Street development. The revised floor plans of the proposed 350- and 400-foot-tall towers include a combination bay window/ balcony system and would have a

maximum length of about 121 feet and a maximum diagonal dimension of about 134 feet. The revised project would meet the diagonal dimension requirement but exceed the length requirement under the new "W" bulk limits. Therefore, the building would require Conditional Use authorization under Planning Code Sections 271(c): Bulk Limits - Special Exceptions in Districts Other Than C-3, according to the procedures for CU authorization pursuant to Planning Code Section 303.⁵

F. PROJECT SCHEDULE AND APPROVALS REQUIRED

Project Schedule

The project sponsor expects environmental review, project review, and detailed design to be completed in 2002. Planning Commission action and other review would be requested at that time for the entire project, followed by Board of Supervisors action on the requested rezoning and Plan amendments. Development is proposed to begin by summer 2003. Development would be sequenced during a 36- to 48-month construction period.

Approval Requirements

Following a public hearing on the Draft EIR before the Planning Commission, responses to written and oral comments will be prepared. The EIR will be revised as appropriate and presented to the Planning Commission for certification as to its accuracy, objectivity and completeness. No discretionary project approvals may be granted or permits issued before the Final EIR is certified.

The project would require the following actions, with acting bodies shown in italics:

- Amend Planning Code Zoning Maps to rezone privately owned parts of existing P (Public) District to RC-4 (Residential-Commercial Combined: High Density), increase height limits from 105, 150 and 200 feet to 300 and 400 feet, and change bulk limit from R to W for Block 3745, Lots 1 and 8, and portions of Block 3746, Lot 1. *Planning Commission recommendation, Board of Supervisors approval*

⁵ Planning Code Section 271 does allow exceptions to the plan length rule; therefore, the proposed design subtracts an equivalent amount of bulk to offset the amount of bulk by which the design is exceeding the controls, and is intended to comply with Planning Code Section 271(c)(1)(D). The expression of the bay windows is intended to make the building appear narrower than would facades without such vertical expressions. Additionally, the bay windows would not be orthogonal in plan-shape, but would be triangular-shaped with a slight arc. That means the plan length is continually diminishing, the 121 feet would occur only in a small area.

- Amend Planning Code Text to add a new Residential/Commercial subdistrict to the Rincon Hill SUD. *Planning Commission recommendation, Board of Supervisors approval*
- Amend *General Plan Rincon Hill Area Plan*. *Planning Commission approval, referral to Board of Supervisors for approval*
- Conditional Use Authorization/Planned Unit Development (PUD) for buildings taller than 40 feet in a R district. *Planning Commission approval*
- Exception under Planning Code Section 249.1(b)(3)(B) for development causing ground-level winds to exceed comfort criteria. *Zoning Administrator*
- Site Permits. *Department of Building Inspection*

The project would be reviewed by the Planning Department, Planning Commission, and Board of Supervisors in the context of applicable objectives and policies of the *General Plan*. Pertinent objectives and policies are discussed in Section III.A, Land Use, Zoning and Plan Consistency. Decision-makers may address additional objectives and policies from the *General Plan* during consideration of project approval.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which, among other things, established eight Priority Planning Policies. These Policies contained in Section 101.1 of the City Planning Code are:

1) preservation and enhancement of neighborhood-serving retail uses; 2) protection of neighborhood character; 3) preservation and enhancement of affordable housing; 4) discouragement of commuter automobiles; 5) protection of industrial and service land uses from commercial offices development and enhancement of resident employment and business ownership; 6) earthquake preparedness; 7) landmark and historic building preservation; and 8) protection of open space.

Before issuing a permit for any project or adopting any legislation that requires an Initial Study under the California Environmental Quality Act, or adopting any zoning ordinance or development agreement, and before taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project, legislation or action is consistent with the Priority Policies. The motion by the Planning Commission approving or disapproving the project will contain the analysis determining whether the project is in conformance with the Priority Policies.

III. ENVIRONMENTAL SETTING AND IMPACTS

An application for environmental evaluation for the project was filed October 17, 2000, and the San Francisco Planning Department determined that an EIR was required. The Initial Study, published on July 21, 2001, determined that the following effects of the project would either be insignificant or would be reduced to a less-than-significant level by mitigation measures included in the project and thus required no further analysis: population and housing, noise, construction air quality, utilities/public services, biology, geology/topography, water, energy/natural resources, hazards, and historic/cultural resources.¹ (See Appendix A for the Initial Study.) Therefore, the EIR does not discuss these issues. The project's potential for significant impacts in the areas of land use, visual quality and urban design, transportation, air quality, shadows and wind, and growth inducement are assessed in this chapter. The analyses below and those in the Initial Study account for construction and operational impacts, where relevant. For example, construction traffic effects are discussed in Section III.E, below, and construction-related air emissions are addressed in the Initial Study (Appendix A, p. 23) with mitigation measures to reduce construction-generated emissions presented in the Initial Study and in Section IV, Mitigation Measures: Construction Air Quality. Cumulative impacts are analyzed for each topic when appropriate, relating to cumulative impacts from both the development project and the requested rezoning.

- As described in Section E of Chapter II, Project Description, subsequent to publication of the Draft EIR, the project sponsor revised the development project and made minor changes and clarifications to requested amendments to Planning Code text. A comparison of the potential environmental impacts found that the revised project would either have substantially the same or slightly less environmental impacts than the development project analyzed in the Draft EIR. No new significant impacts were found and no substantial increases were found in impacts identified as significant environmental impacts. The differences in impacts are discussed below by topic. All mitigation measures and improvement measures identified in the Draft EIR would be applicable to the revised project, and those identified as included in the project would continue to be included.

¹ In Resolution 02-0084, adopted May 14, 2002, the San Francisco Public Utilities Commission determined that there is sufficient water supply to serve expected development projects in San Francisco through the year 2020 including the proposed development project.

A. LAND USE, ZONING, AND PLAN CONSISTENCY

SETTING

LAND USE

The requested rezoning area is located in San Francisco's Rincon Hill area, about three blocks south of Market Street. The Embarcadero and San Francisco Bay are one block east of the requested rezoning area. The anchorage of the San Francisco - Oakland Bay Bridge is one block to the south. The South of Market neighborhood is to the west and south of the requested rezoning area, beyond the Rincon Hill area. The Rincon Point - South Beach Redevelopment Area is one block northeast and two blocks southwest of the requested rezoning area. The downtown office district begins immediately north across Folsom Street and extends north of Market Street to about Washington Street. Generally, buildings near Market Street are taller than newer development south of Mission Street. The Transbay Terminal is to the northwest at Fremont and Mission Streets. To the north and northwest of the requested rezoning area, across Folsom Street, land previously dominated by the Embarcadero Freeway and opened up as a result of freeway demolition is now vacant or used for surface parking; it remains in Caltrans ownership. This is a portion of the area proposed to be included in the Transbay Redevelopment Project Area.

III. Environmental Settings and Impacts

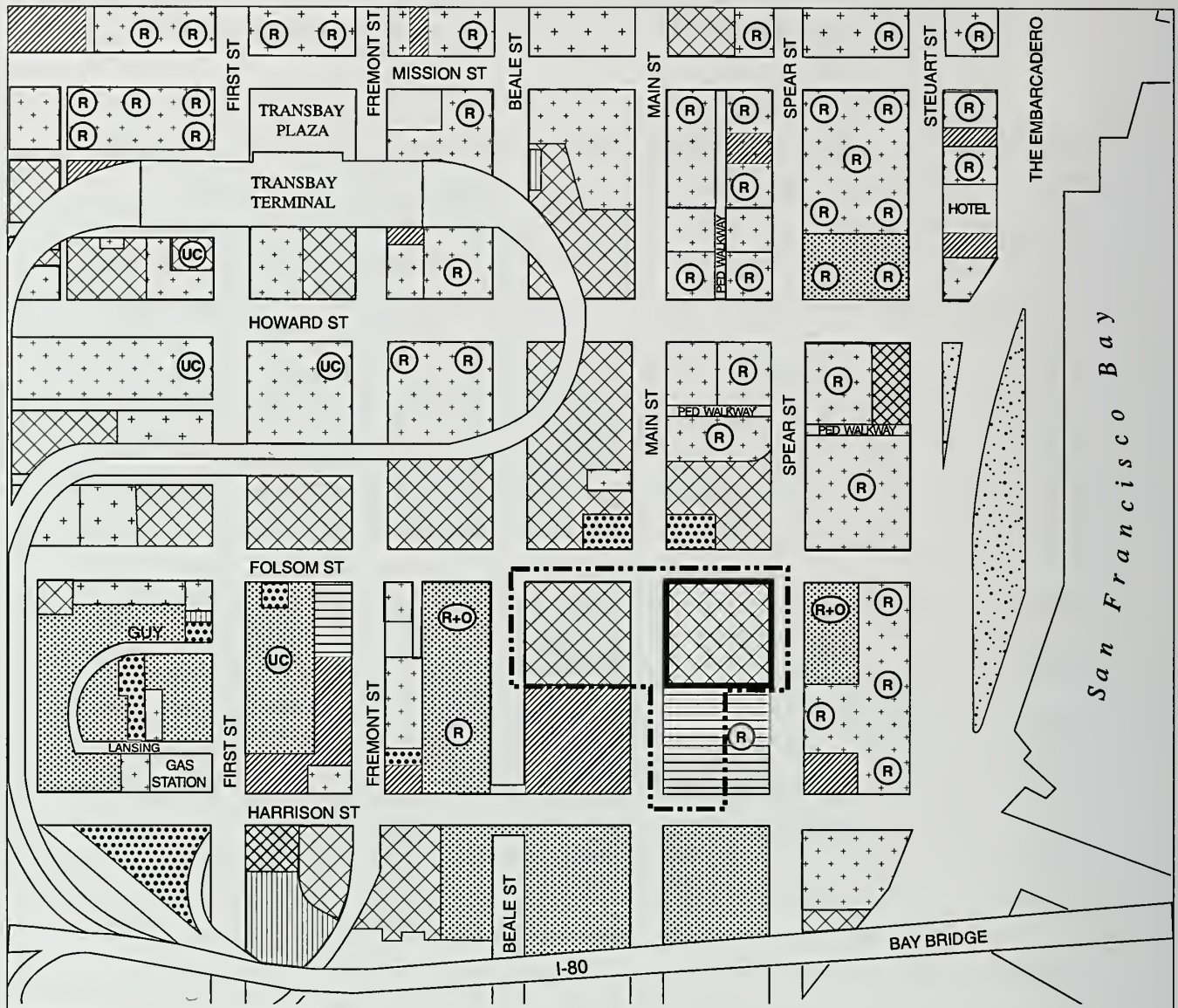
A. Land Use, Zoning, and Planning Consistency

The requested rezoning area is in a transition area between high-rise office above retail uses in the C-3 Downtown Commercial district along Howard Street and to the north, and high-rise residential above small commercial uses in the Rincon Hill area south of Folsom Street. Land uses in the vicinity of the requested rezoning area are a mix of residential, commercial (office and retail), utility, and parking uses. (See Figure 22: Existing Land Use in Project Vicinity.) High-rise office buildings dominate the area north of Mission Street, and to some extent high-rise office towers are clustered in the area north of Folsom Street between The Embarcadero and Main Street. The remainder of the area between Mission and Harrison Streets, west of Main Street, constitutes the southern periphery of downtown. A large portion of the Rincon Hill area is characterized by a changing urban landscape composed of surface parking lots, low- to mid-rise industrial buildings and new and under-construction high-rise residential development.

Residential developments in the near and mid-vicinity (within three to four blocks) of the requested rezoning area are the predominant uses to the south and west. They include Embarcadero Lofts (at 300 Beale Street), Avalon Towers (at 388 Beale Street), an approved

- residential development at 325 Fremont Street, proposed residential developments at 333 Fremont Street, 375 Fremont Street, and 385 Fremont Street, a residential development under construction at 333 First Street, existing residential buildings surrounding Guy Place and Lansing Street, and an approved residential development at 40-50 Lansing Street west of the requested rezoning area across Beale Street; and Harbor Lofts (at 400 Spear Street), Portside I (at 38 Bryant Street), Portside II (at 403 Main Street), Baycrest (at 201 Harrison Street), Bridge View Towers at 400 Beale Street, an approved residential development at 401 Harrison Street, and a proposed residential development at 425 First Street south of the requested rezoning area across Harrison
- Street. (See Figure 23: Existing, Under-Construction, Approved, and Proposed Residential Developments in Rincon Hill SUD.)

Office above ground-floor retail and surface parking are the predominant uses in the area to the north of the requested rezoning area. The block across Folsom Street between Spear Street and The Embarcadero is occupied by the Gap Inc. Headquarters office building with ground-floor retail (at 250 The Embarcadero), a high-rise office building with ground-floor retail (at 201 Spear



LEGEND

- SITE OF DEVELOPMENT PROJECT
- AREA REQUESTED TO BE REZONED
- RETAIL
- LIGHT INDUSTRIAL
- RESIDENTIAL
- OFFICE
- SURFACE PARKING
- STRUCTURED PARKING

- INSTITUTIONAL/PUBLIC USE
- VACANT LOT
- OPEN SPACE
- UTILITY
- GROUND-FLOOR RETAIL
- GROUND-FLOOR RETAIL + OFFICE
- UNDER CONSTRUCTION

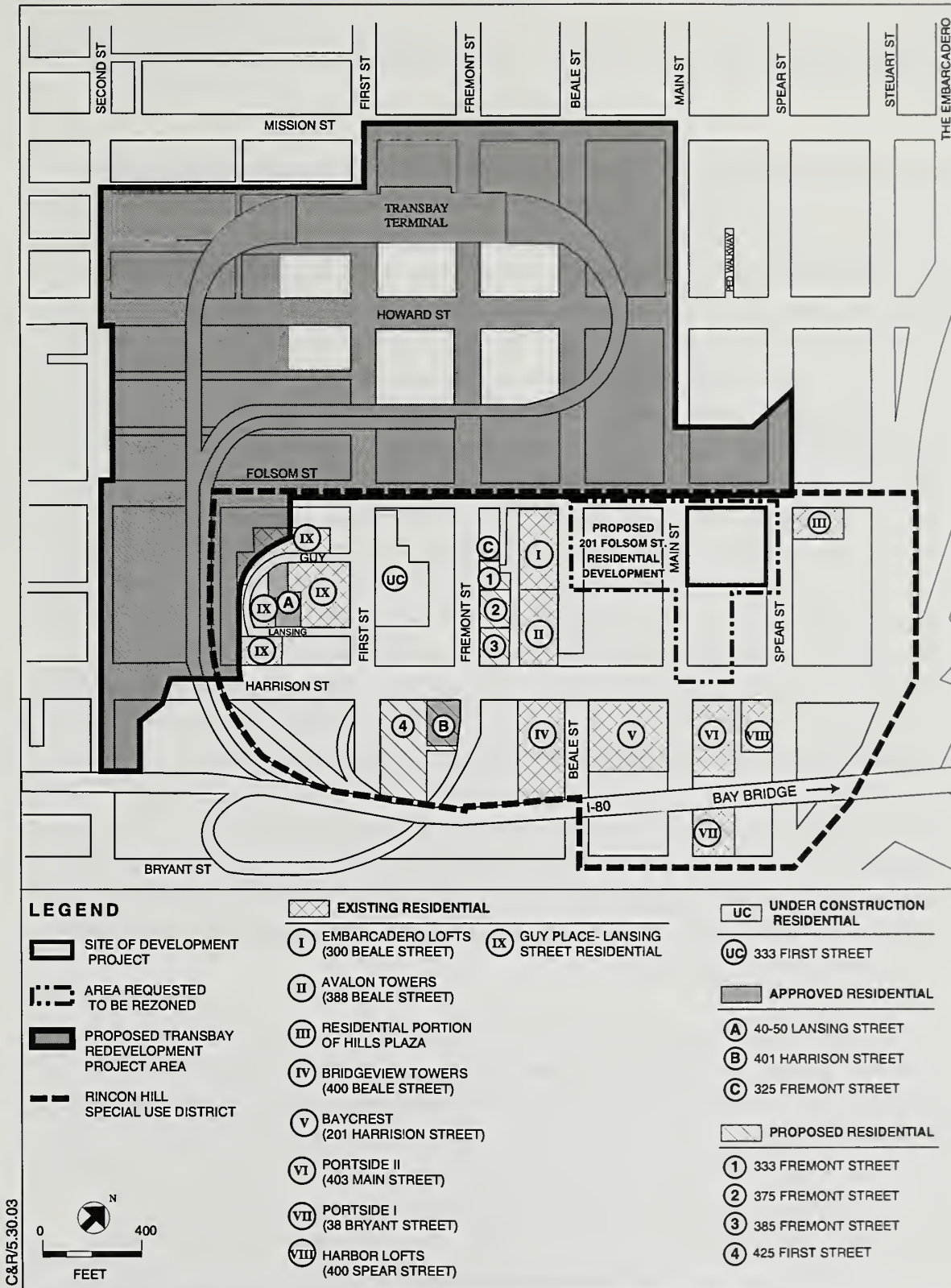


SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 22: EXISTING LAND USE IN PROJECT VICINITY



SOURCE: San Francisco Planning Department, Turnstone Consulting

300 SPEAR STREET

2000.1090E

● FIGURE 23: EXISTING, UNDER-CONSTRUCTION, APPROVED, AND PROPOSED RESIDENTIAL DEVELOPMENTS IN RINCON HILL SUD

III. Environmental Settings and Impacts

A. Land Use, Zoning, and Planning Consistency

Street), and a parking structure. The southern portion of the block just north of the requested rezoning area across Folsom Street is occupied by a paved parking lot and an industrial building (at 160 Folsom Street); the northern portion of this block, behind the parking lot, is occupied by a high-rise building with office above ground-floor retail (at 221 Main Street), a six-story office building with ground-floor retail and daycare (at 220 Spear Street), a four-story building with office above ground-floor retail (at 210 Spear Street), a five-story office building with ground-floor retail (at 101 Howard Street), the Charles Schwab high-rise office building (at 211 Main Street), a two-story industrial building (at 200 Folsom Street). The block immediately north of the requested rezoning area bounded by Folsom, Main, Howard and Beale Streets is occupied mainly by the Golden Gate Transit bus parking lot with a small two-story industrial building (at 200 Folsom Street).

Residential use is the predominant use south of the requested rezoning area. Across Harrison Street and immediately south of the development site is an office building (at One Harrison Street), Harbor Lofts (at 400 Spear Street), Portside II condominiums (at 403 Main Street), the Bay Crest apartments (at 201 Harrison Street), and the Bridge View Towers residential building under construction (at 400 Beale Street). Beyond the residential buildings and further to the south is the anchorage of the San Francisco - Oakland Bay Bridge.

Immediately east of the requested rezoning area across Spear Street is Hills Plaza (at Two Harrison Street)² which accommodates office space, residential uses, retail uses on the ground and second levels, child care (Marin Day School Child Care), and subsurface parking. Beyond Hills Plaza and further to the east is the southern end of Rincon Park (under construction), The Embarcadero and San Francisco Bay.

Surface parking and residential uses are the predominant uses to the west of the development site. Immediately west of the development site across Main Street are a surface parking lot at 201 Folsom Street and the United States Postal Service (USPS) Annex building at 390 Main Street; the 201 Folsom Street parking lot is part of the requested rezoning area; a high-rise residential development is proposed there under the requested rezoning, similar to the proposed development project at 300 Spear Street. Beyond 201 Folsom Street and across Beale Street are the Embarcadero Lofts (at 300 Beale Street) and the high-rise residential development, Avalon Towers (at 388 Beale Street). Further west are institutional and office uses, with a high-rise

² Hills Plaza has four postal addresses: Two Harrison Street, 345 Spear Street, 75 Folsom Street, and 350 Steuart Street.

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

residential building (at 333 First Street) under construction on the west side of First Street at Folsom Street. Immediately west of First Street, about three blocks west of the development site, there are mainly low-rise multifamily residential buildings surrounding Guy Place and Lansing Street, with some corner and interior commercial and industrial uses, including a gas station. However, an 81-unit residential development has been recently approved at 40-50 Lansing Street.

The development site is a surface parking lot for about 290 vehicles. The telecommunications/utility building at 345 Main Street and Telecom Center 1 at 360 Spear Street occupy the southern half of the block, and are adjacent to the project site. The telecommunications/utility building accommodates internet server facility uses and the Telecom Center 1 building has telecommunication facilities. Both have retail uses on part of the ground floor.

ZONING

Existing Zoning

The requested rezoning area is zoned P (Public Use); it is in the Rincon Hill Special Use District (SUD) and in the 105-R, 150-R, and 200-R Height and Bulk districts. (See Figure 2: Existing Zoning Districts in Project Vicinity, p. 30; Figure 3: Existing Rincon Hill SUD With Its Subdistricts, p. 31; and Figure 4: Existing Height and Bulk Districts in Project Vicinity, p. 32.) Adjacent areas are zoned RC-4 (Residential-Commercial Combined: High Density) and M-1 (Light Industrial District) in the Rincon Hill SUD.

Public Use District

According to Section 234 of the Planning Code, a P District is applied to land that is owned by a governmental agency and in some form of public use, including open space.³ Any lot in a P District may be occupied by a principal use listed in Section 234.1 of the Planning Code such as:

- structures and uses of governmental agencies that are not subject to regulation by the Planning Code;
- public structures and uses of the City and County of San Francisco, and of other governmental agencies that are subject to regulation by the Planning Code; or

³ The purpose of designating such land as a P district on the Zoning Map is to relate the Zoning Map to actual land use.

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

- accessory nonpublic uses, when in conformity with the *General Plan* and the provisions of other applicable codes, laws, ordinances, and regulations and given certain exceptions.

Alternately, a P District site may be occupied by certain uses listed in Planning Code Section 234.2, with Conditional Use authorization, including:

- institutional uses such as social service or philanthropic facility, child-care facility, elementary school, secondary school, post-secondary educational institution, church or other religious institution;
- community facilities such as community clubhouse, neighborhood center, community cultural center or other community facility;
- open recreational and horticultural uses such as open recreation areas and open space used for horticultural or passive recreational purposes;
- public facilities and utilities uses such as a utility installation or public service facility; or
- temporary uses including those with a 60-day limit such as a neighborhood carnival, exhibition, celebration or festival, a booth for charitable, patriotic or welfare purposes, or open-air sales; and those with a one- or two-year limit such as temporary structures and uses incidental to the construction of buildings on the same or adjacent premises, rental offices incidental to a new residential development, or an automobile wrecking operation.

RC-4 (Residential-Commercial Combined: High Density) District

RC-4 (Residential-Commercial Combined: High Density) districts encourage a combination of high-density dwellings with compatible commercial uses on the ground floor to protect and enhance neighborhoods with mixed use character. RC-4 zoning permits dwelling units at a maximum ratio of one dwelling unit for each 200 sq. ft. of lot area,⁴ group housing with a maximum of one bedroom for each 70 sq. ft. of lot area, child care for 12 or fewer, and supporting commercial uses including office and retail-type services, except for auto-oriented uses, when located on the ground floor or below, as principal uses. Planned unit developments, hotels, institutional uses (academic, religious or medical institution), parking lots, and community garages are permitted with Conditional Use authorization. The FAR permitted for all non-residential uses is 4.8:1. Generally, one off-street parking space for each four dwelling units is required. Commercial uses (depending on the specific type of use) require parking and loading spaces as per Planning Code Sections 151 and 152. Rear yards are required in RC-4 districts; they need not be at ground level. Properties in an RC-4 district require 36 sq. ft. of private usable

⁴ Provided that a 500-sq.-ft. dwelling unit with a maximum of one habitable room in addition to a kitchen and a bathroom may be counted as equal to three-fourths of a dwelling unit.

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

open space for each residential unit. Common usable open space for each residential unit may be substituted for private open space at the rate of 133 percent of the amount of required private open space. Open space for non-residential uses is required to be provided at the ratio of 1:50.

M-1 (Light Industrial) District

These districts provide land for industrial development. In general, M-1 districts are more suitable for smaller industries dependent upon truck transportation. Most industries, with the exception of large or noxious ones, are permitted. The permitted industries have certain requirements as to enclosure, screening and minimum distance from residential districts. Manufacturing, wholesale, storage, retail, repair, and service uses are permitted as principal uses. Auto-wreckers and certain other uses including residential use are permitted with Conditional Use authorization.

Rincon Hill Special Use District

The Rincon Hill SUD was established in 1985 to convert an underutilized and outmoded industrial area to a residential neighborhood close to Downtown that would contribute to the City's housing supply. The SUD was intended to create tapered residential buildings; provide an appropriate mixture of retail sales and personal services to support new residential development; provide a buffer of office and parking uses between the Bay Bridge and freeway ramps, and the housing sites; and allow some of the existing industrial, service and office uses to remain. Planning Code Section 249.1(a) designates a Residential Subdistrict and a Commercial/Industrial Subdistrict within the Rincon Hill SUD. The requested rezoning area, Assessors Block 3745 and Assessor's Block 3746, is in the Residential Subdistrict of the Rincon Hill SUD, as shown in Figure 3: Existing Rincon Hill SUD With Its Subdistricts on p. 31. Therefore, it is subject to the provisions of Planning Code Section 249.1(c) Residential Subdistrict, as well as controls specified in Planning Code Section 249.1(b) that apply to all of Rincon Hill. Existing zoning controls applicable in the Rincon Hill SUD per Planning Code Section 249.1(b) are discussed in detail in Table 1, Rincon Hill SUD, Existing and Requested Zoning, in Impacts, pp. 79-81.

Planning Code Section 249.1(b) Rincon Hill SUD Controls

The following controls are applicable in the Rincon Hill SUD:

Site Coverage. Site coverage for new buildings in the Rincon Hill SUD may not exceed 80 percent. This limitation is extended to promote a residential atmosphere in the Residential

subdistrict and an atmosphere compatible with the adjacent development in the Commercial/Industrial subdistrict. Rear yard requirements applicable in other R districts do not apply in the SUD. The portion of the site (a minimum of 20 percent of the lot) that is not covered may not be used for parking, open storage, or service activities.

Sidewalk Treatment. The Rincon Hill SUD includes requirements to install and maintain improvements such as lighting, decorative paving, seating and landscaping on adjacent public sidewalks. Street trees are required to be installed at one tree for every 30 feet of street frontage.

Reduction of Ground-Level Wind Currents. New buildings and additions to existing buildings are required to be shaped, or other wind-baffling measures adopted, so that the developments will not cause ground-level wind currents to exceed more than 10 percent of the time year-round, between 7.00 a.m. and 6.00 p.m., the comfort level of 11 m.p.h. equivalent wind speed in areas of substantial pedestrian use and 7 mph equivalent wind speed in public seating areas. When preexisting ambient wind speeds exceed the comfort level or when a proposed building or addition may cause ambient speeds to exceed the comfort level, the building must be designed to reduce the ambient wind speeds to meet the requirements. The Zoning Administrator may allow the building or addition to add to the amount of time the comfort level is exceeded by the least practical amount under two circumstances. If it can be shown that a building or addition cannot be shaped or other wind-baffling measures cannot be adopted without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site, the Zoning Administrator may grant an exception. An exception may also be granted if the increase in wind speed is insubstantial because the comfort level is exceeded by a limited amount, in limited locations, or for limited amounts of time. No building is permitted that causes equivalent wind speeds to reach or exceed the hazard level of 26 mile per hour for a single hour of the year.

Planning Code Section 249.1(c) Rincon Hill SUD Residential Subdistrict Controls

The provisions applicable to an RC-4 Use District apply in the Residential subdistrict except as specifically provided.

Uses. Permitted uses include dwellings; group housing for boarding, religious orders; medical and educational institutions; hotels, inns or hostels; and uses permitted in an RC-4 District provided the residential-to-nonresidential ratio of 6:1 is maintained. Uses along grade-level street frontages must be confined to residential lobbies, parking access, and office and retail uses.

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

Density. The Residential subdistrict controls provide no density limits. Density in this subdistrict is controlled by height and bulk limits.

Setback. A minimum of 50 percent of the building frontage above 50 feet in height must be set back a minimum of 25 feet from the front property line. The portion of a site (a minimum of 20 percent of the lot) that is not covered may not be used for parking, open storage, or service activities.

Open Space. Open space is provided at the ratio of 1 sq. ft. per 13 sq. ft. of gross floor area of dwelling units. The open space requirement may be met by private usable open space or publicly accessible open space, provided that no more than 40 percent of the open space requirement is met with the provision of private usable open space. Publicly accessible open space includes sidewalk widening, a pedestrian overpass, a recreation facility on the roof of a parking garage, a pedestrian street, or a publicly accessible area with a scenic overlook. Open space may be provided on those portions of the site not developed pursuant to the site coverage requirements.

Parking Requirements. In the Residential subdistrict at least one and no more than one parking space is required for each dwelling unit. Parking for units designed for senior citizens may be provided at a 1:5 ratio. Parking in excess of one parking space for each dwelling unit may not be considered to be an accessory use and therefore may not be permitted. Parking for all other uses is required at a ratio of one space for each 1,500 occupied square feet. Parking may not occupy the first two stories above grade within 25 feet of the street. However, parking for residential units on pedestrian streets may be provided at ground level.

Existing Height and Bulk Districts

The requested rezoning area has three Height and Bulk districts: 105-R, 150-R, and 200-R. The development site is split between two Height and Bulk districts: 105-R and 200-R. (See Figure 4: Existing Height and Bulk Districts in Project Vicinity, p. 32.) The height districts allow development up to maximum heights of 105 feet and 200 feet, respectively.

The “R” bulk district establishes limits on building bulk at specific heights. The “R” bulk limits are as follows: (1) above a height of 51 feet, the maximum horizontal dimension and diagonal dimension is each 200 feet; and (2) above a height of 105 feet, the maximum horizontal dimension is 110 feet and the maximum diagonal dimension is 125 feet.

PLANS

General Plan Policies

The Planning Commission and Board of Supervisors will evaluate the proposed project against the provisions of the *General Plan*, including those in the *Rincon Hill Area Plan*, and will consider potential conflicts with the *General Plan* as part of the decision-making process. This consideration of *General Plan* objectives and policies is carried out independently of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project. Any potential conflicts with provisions of the *General Plan* that would cause physical environmental impacts have been evaluated as part of the impacts analysis carried out for other topics in this project's EIR and the Initial Study (see Appendix A). Any potential conflicts with *General Plan* policies not identified in this EIR could be considered in the project evaluation process and would not alter the physical environmental effects of the proposed project analyzed in this EIR.

The requested rezoning area is in the part of San Francisco covered by the *Rincon Hill Area Plan*, an Area Plan of the *General Plan*. Objectives and policies in the various Elements of the *General Plan* are typically duplicated in area plans, and the objectives and policies in an area plan are generally more detailed and focused. The *Rincon Hill Area Plan* is the policy document that guides growth and development of the mixed-use neighborhood on Rincon Hill, a twelve-block area close to the Downtown. It is bounded by Folsom Street on the north, by Essex Street and the on-ramp to the Bay Bridge on the west, by the Bay Bridge on the south, and The Embarcadero and Steuart Street on the east. A small portion of the Rincon Hill area also lies south of the Bay Bridge and is bounded by The Embarcadero on the east, Bryant Street on the south, and Beale Street on the west. The *Rincon Hill Area Plan* contains a number of objectives and policies that address the following issues: provision for new development; provision of space for residential uses, neighborhood-serving retail and off-street residential parking; conservation of existing (and creation of new) industrial, service and office uses; and urban design.

Some key objectives and policies of the *General Plan* relevant to the project are noted here; others may be addressed during consideration of project approval.

III. Environmental Setting and Impacts
A. Land Use, Zoning, and Plan Consistency

Rincon Hill Area Plan

Land Use

- Objective 1: To create a unique residential neighborhood close to Downtown which will contribute significantly to the City's housing supply.
- Objective 2: To create space for additional uses which will provide needed services for the resident population.
- Objective 3, Policies: Rincon Hill should be divided into two subareas: residential and commercial/industrial.
- Objective 3, Policies, Residential: Various bulk and set back rules should be applied to prevent the buildings from becoming too massive and overwhelming the area. A limited amount of commercial use (one square foot for every six square feet of residential space) should also be permitted at the base of the residential structures to screen the parking and create daytime activity in the area.

Housing

- Objective 4: To provide quality housing in a pleasant environment that has adequate access to light, air and open space.

Urban Design

- Objective 7: To achieve an aesthetically pleasing residential community.
- Objective 8: To capitalize on the unique qualities of Rincon Hill, specifically its sweeping views of the Bay, its proximity to Downtown, and its relationship to the Waterfront and Bay.
- Objective 9: To respect the natural topography of the hill and follow the policies already established in the Urban Design Element which restrict height near the water and allow increased height on the top of hills.
- Objective 10: To preserve views of the Bay and the Bay Bridge which are among the most impressive in the region.
- Objective 11: To maintain view corridors through the area by means of height and bulk controls which insure carefully spaced slender towers rather than bulky, massive buildings.

III. Environmental Setting and Impacts
A. Land Use, Zoning, and Plan Consistency

- Objective 12: To reduce the present industrial scale of the streets by creating a circulation network through the interior blocks, creating a street scale comparable to those in existing residential areas elsewhere in the city.
- Objective 13: To reduce the widths of Main, Spear and Beale Streets to create additional developable area as well as new pedestrian space.
- Objective 14: To keep wind speeds at a comfortable level.
- Objective 15: To encourage a human scale streetscape with activities and design features at pedestrian eye level.
- Objective 15, Policies: Highrise development projects should be designed to ensure towers a) step down as elevation decreases; b) are varied to avoid the visual benching created by towers whose tops are at the same elevation; and c) are sited in a way that avoids excessive screening of downtown views from the bridge and minimizes shadowing of open space. Therefore distances between towers in the same height district above 105 feet should not be less than approximately 150 feet.

Recreation and Open Space

- Objective 20: To create an inviting and pleasant pedestrian corridor to the financial district.
- Objective 20, Policies, Public Open Space: Each development should provide publicly accessible open space in an amount equal to 20% of the site area. Pedestrian streets and sidewalk widening are encouraged, and reservation of open space (by specifying maximum lot coverage) are mandated in the Plan for Blocks 3744-3748.⁵
- Objective 20, Policies, Private Residential Space: In addition to public open space, private residential open space should also be provided in relation to a development's residential area at a ratio of 1 square foot per 13 square feet of residentially occupied space. Most of the residential open space should be in common areas for the residents of the development; however up to 40% could be

⁵ These spaces can count in meeting a portion of each development's public open space requirement provided the areas are publicly accessible and are beautified with lighting, decorative paving, seating and landscaping. In addition to these open spaces on the designated blocks, public open space should be permitted to be provided in a variety of outdoor forms, on the ground floor or above, subject to review and approval by the City Planning Commission.

III. Environmental Setting and Impacts
A. Land Use, Zoning, and Plan Consistency

private in that it is for the use only of the residents to which it is attached. Some of the public open space should be counted as residential common open space if provided on the ground floor in the form of an urban park, community garden or other open space conducive to residential activity. Common residential open space may be in the form of inner courts, on-site recreational facilities, roof decks, patios, sun and view terraces or congregate solariums.

Circulation

Objective 21: To create safe and pleasant networks within the Rincon Hill area, to Downtown and the Bay.

Objective 22: To reduce widths of selected streets to those which meet circulation needs and complement residential use.

Objective 24: To provide sufficient off-street parking for residents.

Objective 25: To encourage joint use of parking structures.

Objective 26: To reduce congestion at bridge ramps by improving loading patterns.

Objective 26, Policies, Accessory Parking: The parking requirements take into account the potential for joint use of parking space made possible by mixed-use development. The proximity to downtown and proposed new transit make it possible to limit residential parking to one space per unit. Similarly, the parking requirement for offices can be reduced to one space per 1,500 sq. ft. of commercial space.

Residence Element

Objective 1, Policy 2: Facilitate the conversion of underused industrial and commercial area to residential use, giving preference to permanently affordable housing uses.

Objective 2, Policy 2: Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are permanently affordable to lower income households.

III. Environmental Setting and Impacts
A. Land Use, Zoning, and Plan Consistency

- Objective 12, Policy 1: Assure housing is provided with adequate public improvements, services and amenities.
- Objective 16, Policy 2: Encourage development of housing in the Bay Area which will meet regional housing needs and contribute to the quality of life in the region.

Urban Design Element

- Objective 3, Policy 5: Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.
- Objective 3, Policy 6: Relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction.

Proposed Rincon Hill Mixed Use District

The San Francisco Planning Department currently is preparing a proposal to amend the Area Plan for the Rincon Hill area and to combine the Planning Code's Rincon Hill SUD subdistrict designations (Residential and Commercial/Industrial subdistricts) into one Rincon Hill Mixed Used (RHM) District, to increase height limits and to make other changes intended to stimulate additional high density, residential development in the Rincon Hill area. Amendments of the *General Plan* and Planning Code, including text and zoning map changes, would be required for the proposal. The Planning Department is currently preparing an EIR for this proposal.⁶ This proposal is subject to further refinement and must be considered and acted on by the Planning Commission and Board of Supervisors before the proposed amendments go into effect.

Proposed Transbay Redevelopment Project Area

North of the requested rezoning area across Folsom Street, the proposed Transbay Redevelopment Project Area has been the focus of a number of land use and transportation planning efforts. The proposed Transbay Redevelopment Project Area covers the area directly north of the project site, and generally bounded by Mission, Main, Spear, Folsom, Essex, Harrison, Second and Minna Streets.⁷ After the 1989 Loma Prieta Earthquake, a substantial

⁶ See City and County of San Francisco, *2000.1081E: Rincon Hill Mixed Use District Notice of Preparation of a Draft EIR*, March 10, 2001.

⁷ City and County of San Francisco, *2000.048E San Francisco Transbay Terminal/Caltrain Downtown Extension Project*, Notice of Preparation and EIR Requirement, March 16, 2001.

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

portion of this area previously dominated by the Embarcadero Freeway was opened up as a result of freeway demolition; resulting parcels are now vacant and used for surface parking. Following freeway demolition, planning studies were initiated to reconsider the appropriate land use controls for the newly vacant area.

An early planning effort resulted in the *Transbay 20/20 Concept Plan*, a series of urban design and land use concepts, prepared by the Planning Department and the Redevelopment Agency in December 1996 to guide the revitalization of the Transbay Redevelopment Project Area.⁸ A Citizen's Advisory Committee and a Technical Advisory Committee were convened to provide community input and technical guidance to the project. The Committee decided in 1996 that a new Terminal should be built near the intersection of Howard and Main Streets, and that the existing Terminal site should be redeveloped. At the same time, the Joint Powers Board, which operates the Caltrain commuter service, was studying options to bring its rail station facilities, currently located at Fourth and Townsend Streets, to a downtown location underground, near the site of the existing Terminal.⁹ The *Transbay 20/20 Concept Plan* envisioned the creation of a new mixed-use neighborhood adjacent to the downtown.

Another recent planning effort resulted in the *Transbay Terminal Improvement Plan*, prepared in January 2001 by the Metropolitan Transportation Commission, in conjunction with associated consultants, presents the design concept for a new Transbay Terminal. This plan envisioned primarily high-density residential development on publicly-owned parcels adjacent to the terminal and in the Rincon Hill area along Folsom and Beale Streets.¹⁰

The series of proposed zoning and height district changes resulting from these planning studies in the Transbay area are the subject of the *San Francisco Transbay Terminal/ Caltrain Downtown Extension/Redevelopment Project EIS/EIR* currently being prepared by the City and County of San Francisco, the San Francisco Redevelopment Agency, the Peninsula Corridor Joint Powers Board, and the Federal Transit Administration.¹¹ The EIS/EIR analyzes a new Transbay

⁸ San Francisco Redevelopment Agency and San Francisco Planning Department, *Transbay 20/20 Concept Plan*, September 1996.

⁹ San Francisco Redevelopment Agency, *Transbay Survey Area*, information available at <http://www.ci.sf.ca.us/sfra/tb.htm>

¹⁰ Metropolitan Transportation Commission, *Transbay Terminal Improvement Plan*, January, 2001, pp. 18-19.

¹¹ City and County of San Francisco, 2000.048E *San Francisco Transbay Terminal/Caltrain Downtown Extension Project*, Notice of Preparation and EIR Requirement, March 16, 2001.

Terminal, extension of Caltrain Commuter rail service from Fourth and Townsend Streets to the Transbay Terminal, and the proposed Redevelopment Plan. The proposed Redevelopment Plan includes use district changes and increases in height limits districts to increase building heights that are intended to encourage private development and public investment in the area, including joint development to facilitate transit improvements. The proposed Redevelopment Plan and zoning changes have not been adopted, and therefore are not official City policy.

IMPACTS

SIGNIFICANCE CRITERIA

The project would be considered to have a significant effect on the environment if it would substantially disrupt or divide the physical arrangement of an established community, or have any substantial impact upon the existing character of the vicinity.

CHANGE IN LAND USE

The development project would change land use at the development site from surface parking to more-intense high-rise residential with ground-floor retail space, some office space and subsurface parking. A similar change, from surface parking to high-rise residential use is proposed under the requested rezoning on the adjacent block to the west. Together, both development projects propose to construct between 1,600 and 1,650 residential units on sites that are currently used as surface parking lots for a total of about 560 vehicles.

The proposed change in land use would constitute a substantial physical change along the south side of Folsom Street. In the recent past, the immediate project area has been characterized by a predominance of surface parking and industrial uses. A number of high-density residential uses have been built recently, are under construction or have recently been approved two to three blocks west and south of the requested rezoning area. (See Figure 23: Existing, Under-Construction, and Approved Residential Developments in Project Vicinity, p. 62.) Therefore, the project vicinity is characterized by a rapidly changing urban landscape; it is transitioning from an industrial district with surface parking to a predominantly high-rise residential district close to downtown.

The proposed residential use would be consistent with similar residential uses to the south, east and west, including Hills Plaza to the east and Avalon Towers to the west. The development project would further extend the Rincon Hill residential uses north of Harrison Street, as

envisioned in the *Rincon Hill Area Plan*. The development's neighborhood-serving commercial uses, proposed to be at the lower levels (first to third floors), would be similar to ground-floor neighborhood-serving commercial uses in other residential developments, such as the Bay Crest Apartments and Avalon Towers, in the Rincon Hill area.

The development would have a residential density of about one unit for each 92 sq. ft of site area or 1:92.¹² As shown in Figure 23, p. 62, there are several other similar developments that already exist, have been recently constructed, are under construction or are planned in the project vicinity. There are several high-rise residential buildings with comparable residential densities near the development site; for instance, one block west of the development site, the 19-story, 226-unit Avalon Towers at 388 Beale Street has a residential density of about one unit for each 178 sq. ft of site area. Three to four blocks west of the development site, the 342-unit building approved at 333 First Street will have a residential density of about one unit for each 111 sq. ft. of site area, and the 81-unit building approved at 40-50 Lansing Street will have a residential density of about one unit for each 250 sq. ft. of site area. South of the development site across Harrison Street, the 12-story, 245-unit Bridge View Towers under construction at 400 Beale Street will have a residential density of about one unit for each 113 sq. ft. of site area. Across Spear Street east of the development site is Hills Plaza at Two Harrison Street, which accommodates about 67 residential units in its 18-story north tower, has a residential density of about one unit for each 373 sq. ft. of site area.¹³ Immediately west of the development site across Main Street, the 41-story, 820-unit residential development proposed at 201 Folsom Street would have a residential density of about one unit for each 92 sq. ft. of site area or 1:92.

Conclusion: Land Use

The proposed change in land use from the existing surface parking lot to the proposed high-density residential development would constitute a substantial intensification of land use at the development site. It would not be a significant impact as there are similar high-rise developments with comparable residential densities already existing, under construction, and recently approved near the development site, and because this portion of the Rincon Hill area is already in the process of changing from a predominantly industrial and parking district to a high-density residential district close to downtown. The change in land use would further the goals of the

¹² The project proposes 820 residential units on a total land area of approximately 75,625 sq. ft.

¹³ Hills Plaza mixed use development occupies a total land area of 3.5 acres or 152,460 sq. ft., and the residential component of Hills Plaza occupies less than one-sixth of the total land area; that is, the residential use occupies approximately 25,000 sq. ft. of land area.

General Plan Rincon Hill Area Plan, which recommends that the Rincon Hill area be developed as a residential neighborhood close to downtown that contributes to the City's housing supply. The proposed development project along with the proposal at 201 Folsom Street would extend the community that is in the process of being established in the Rincon Hill area further north. The proposed uses would be compatible with existing and planned high-density residential uses in the Rincon Hill area. The proposed development would thus continue and extend existing land uses and would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity. Therefore, the proposed change in land use would not be a significant impact.

ZONING, HEIGHT AND BULK, AND GENERAL PLAN

Comparison of Requested Rezoning to Existing Controls

Zoning Changes

The project sponsor, jointly with the sponsor of proposed 201 Folsom Street across Main Street, has requested a rezoning of most of the P (Public) Use District, bounded by Beale Street on the west, Folsom Street on the north, Harrison Street on the south, and Spear Street on the east, from P to RC-4 (Residential-Commercial Combined: High Density). As shown in Figure 5: Requested Zoning District, p. 34, and Figure 6: Requested Residential/Commercial Subdistrict in the Rincon Hill SUD, p. 35, the requested rezoning would cover the development site, and the 345 Main Street site on Block 3745, Lots 1 and 8; Lot 9 in Block 3745 would remain designated RC-4.¹⁴ The requested rezoning would also cover the northern half of Block 3746, which is currently part of Lot 1. The southern half of Block 3746, occupied by the United States Postal Service Annex, would remain as a P district.

According to Planning Code Sections 206.3 and 209.2, RC-4 Districts provide for a mixture of high-density dwellings with supporting commercial uses, at a maximum ratio of one dwelling unit for each 200 sq. ft. of lot area.¹⁵ RC-4 Districts are devoted almost exclusively to apartment buildings of high density, usually with smaller units, close to downtown. Buildings over 40 feet

¹⁴ The property at 345 Main Street is also in the P District. A Conditional Use authorization was approved in July 2000 for private telecommunications/utility use, as permitted in a P district. The building interior was substantially remodeled to accommodate this use. Because the site is privately owned, it has been included in the area to be rezoned. No redevelopment of the site is contemplated in the reasonably foreseeable future.

¹⁵ Provided that a 500-sq.-ft. dwelling unit with a maximum of one habitable room in addition to a kitchen and a bathroom may be counted as equal to three-fourths of a dwelling unit.

in height are common, and other tall buildings may be accommodated. Supporting commercial uses similar to those permitted in C-2 (Community Business) Districts are located at or below ground level in most instances; automobile-oriented establishments are excluded. Open space is required for dwellings in RC-4 Districts, but rear yards need not be at ground level and front setback areas are not required.

The high-intensity residential and commercial uses permitted in the requested RC-4 District would be different from the governmental and public uses permitted in the existing P District. Controls provided in P zoning districts apply to land owned by governmental agencies and in some form of public use, and serve a different purpose from the controls applicable in RC-4 zoning districts that are intended to protect, conserve and enhance areas with high-density residential and supporting commercial uses. The properties requested to be rezoned from P to RC-4 were formerly in public agency ownership but are now privately owned.¹⁶ The 300 Spear Street property, previously in Caltrans ownership, is currently owned by Union Property Capital Inc. P zoning for the property was appropriate while it was publicly owned; however, since it is now privately owned, the purpose of the property has changed and RC-4 zoning is more appropriate.

A Planning Code text amendment creating a new Residential/Commercial subdistrict under the Rincon Hill Special Use District overlay has been requested. Requested amendments to the Planning Code Rincon Hill Special Use District are summarized in Table 1, Rincon Hill SUD-Existing and Requested Zoning. This table shows the existing zoning controls applicable in the Rincon Hill SUD according to Planning Code Section 249.1(b), and zoning controls applicable in the new Residential/Commercial subdistrict as requested by the project sponsor. The full text of the requested new subdistrict is presented in Appendix B, Requested Amendments to Planning Code and General Plan. The Residential/Commercial subdistrict would cover the area (previously designated as part of the “Residential” subdistrict on the Zoning Map) bounded by Beale Street on the west, Folsom Street on the north, Harrison Street on the south, and Spear Street on the east. (See Figure 6, Requested Residential/Commercial Subdistrict in the Rincon Hill SUD, p. 35.) The residential-to-commercial ratio of 6:1 (six sq. ft. of residential space for every one sq. ft. of commercial space) that applies in the existing Residential subdistrict would be applied in the requested new Residential/Commercial subdistrict, under Rincon Hill SUD controls in Planning Code Section 249.1. The base floor area ratio (FAR) of 4.8:1 applicable in RC-4 districts would not apply, as density would be established by the 6:1 ratio of residential to commercial, and by height limits and bulk limits, similar to the rest of the SUD.

¹⁶ The neighboring 201 Folsom property is in the process of being acquired by Tishman Speyer Properties from the United States Postal Service.

Table 1: Rincon Hill SUD - Existing and Requested Rezoning

PLNG CODE SECTION	FUNCTION	EXISTING RINCON HILL ZONING PROVISION	AS APPLIED IN REQUESTED SUBDISTRICT
General Controls			
249.1(a)	Purpose	Designates a Residential Subdistrict and a Commercial/Industrial Subdistrict within the Rincon Hill SUD.	Adds new Residential/ Commercial subdistrict
249.1(b)(1)	Site Coverage		
249.1(b)(1)A		Site coverage for new buildings must not exceed 80%.	100% site coverage for building base.
249.1(b)(1)B		On a sloping site, the site-coverage restriction may be modified to account for changes in elevation by CU, provided that site coverage above 50 feet in elevation does not exceed 80 percent.	100% site coverage for building base.
249.1(b)(1)D		The portion of the site (a minimum of 20% of the lot) that is not covered, must not be used for parking, open storage, or service activities.	100% site coverage for building base.
249.1(b)(2)	Sidewalk Treatment		
249.1(b)(2)A		When a CU is granted for any development abutting a public sidewalk, the Commission may impose a requirement to install and maintain improvements such as lighting, decorative paving, seating and landscape.	Same as existing.
249.1(b)(2)D	Reduction of Ground-Level Wind Currents	Street trees must be installed by the owner or developer.	Same as existing.
249.1(b)(3)		New buildings and additions must be shaped, or other wind-baffling measures shall be adopted, so that developments will not cause ground-level wind currents to exceed the comfort level of 11 m.p.h in areas of substantial pedestrian use and seven m.p.h in public seating areas.*	Same as existing.
		The comfort level may be allowed to be exceeded under specified conditions. No building must be permitted that causes equivalent wind speeds to reach or exceed the hazard levels of 26 miles per hour for a single hour of the year.*	Same as existing.
249.1(b)(5)	Existing Signs	The sign provisions of Section 603.13, permitting existing signage to be changed, modified or replaced under specified conditions, apply.	Same as existing.

Notes: *See Wind subsection in III.E., Shadows and Wind, for more details on wind requirements.

Continued

Table 1 (Continued)

PLNG CODE SECTION	FUNCTION	EXISTING RINCON HILL ZONING PROVISIONS	AS APPLIED IN REQUESTED SUBDISTRICT
Residential/ Commercial			
249.1(c)		Provisions applicable to an RC-4 Use District apply in the Residential Subdistrict except as specifically provided.	Provisions applicable to an RC-4 Use District would apply in this subdistrict except as specifically provided.
249.1(c)(1)	Uses	Permitted uses are (i) those listed in Section 209.1 and 209.2 such as dwellings, group housing for boarding, religious orders, medical and educational institutions, and hotels, inns or hostels; and (ii) those permitted in an RC-4 District provided the residential-to-nonresidential ratio of 6:1 is maintained. Uses along grade-level street frontage shall be confined to residential lobbies, parking access, and office and retail uses.	The following modifications to RC-4 District use provisions* would apply: (i) Institutional and community facilities uses, in Sections 209.3 and 209.4 permitted as principal uses; (ii) utility uses in Section 209.6 permitted as conditional uses; (iii) automotive uses in Sections 223(a) and 223(m) permitted as principal use for the first five years and then as conditional use; (iv) parking, in Section 223(p) permitted as conditional uses; (v) uses in Sections 218, 221(a)-(f), 224(b) and (c), 225(b), 226(a) and 227(r) permitted as principal uses; and (vi) uses in Sections 219(c), 222, 224(a), and 227(h) and (i) permitted as conditional uses. Section 209.8 would not be applicable. Non-conforming uses would be allowed to be changed to an equal amount or more of a conforming use without providing the six to one ratio of residential space. Uses along grade-level street frontage shall have: (i) a minimum of 50% retail space or other activity; (ii) visually interesting and pedestrian-friendly; and (iii) minimized curb cuts. No parking ingress or egress would be permitted that would disrupt transit service.
249.1(c)(2)	Density	The provisions of Sections 123 and 124 relating to floor area ratio limitations of 4.8:1 for RC-4 Districts, and Sections 207, 207.1, 208, 209.1 and 209.2 relating to density limitations shall not apply.	The following modifications to an RC-4 District would apply: (i) There would be no density limit for residential uses and the provisions of Sections 207.1 and 208 would not apply; (ii) there would be density limits for non-residential uses and the FAR for these would be 5:1; and (iii) parking area for residential or commercial uses would not be considered part of commercial FAR.

Notes: * For the purpose of the residential/commercial ratio calculation; all areas used for parking (for residential or commercial uses) shall be excluded, and hotels, inns or hostels shall be considered commercial rather than residential use

Continued

Table 1 (Continued)

PLNG CODE SECTION	FUNCTION	EXISTING RINCON HILL ZONING PROVISIONS	AS APPLIED IN REQUESTED SUBDISTRICT
Residential/ Commercial			
249.1c(3)	Setback	Above 50 feet in height, a minimum of 50 percent of the building frontage must be set back a minimum of 25 feet from the front property line. The portion of a site (a minimum of 20% of the lot) that is not covered, shall not be used for parking, open storage, or service activities.	At least 50 percent of the building frontage on Folsom Street above the 80-foot building base would be required to be set back a minimum of 12.5 feet. No portion of the a tower above the 80-foot base shall be required to be set back unless the tower occupies over 50% of Folsom Street frontage. 100% site coverage for building base shall be permitted.
249.1(c)(4)	Open Space	Open space must be provided: (i) at the ratio of 1 square foot per 13 square feet of gross floor area of dwelling units; (ii) no more than 40% of the open space requirement may be met with private usable open space; (iii) publicly accessible open space includes but is not limited to a sidewalk widening, a pedestrian overpass, recreation facility on the roof of a parking garage, a pedestrian street, and a publicly accessible area with a scenic overlook; and (iv) open space, including publicly accessible open space, may be provided on those portions of the site not developed provided it is not used for parking, open storage or service activities.	Open space would be provided (i) at the ratio of 1:50 for non-residential uses, and (ii) at the ratio of 36 sq.ft. of private open space for each residential unit. Common usable open space for each residential unit may be substituted for private open space at the rate of 133% of the amount of required private open space. Up to 40% of the open space requirement for residential uses may be met by providing private open space, provided that it has a minimum area of 36 sq.ft. with a minimum dimension of 4 feet in any direction. The residential open space requirement may be met by providing an unenclosed park or plaza, an enclosed pedestrian pathway, a sun terrace, sidewalk widening and streetscapes, publicly-accessible area with a view, a roof-top recreational facility or an enclosed pool for residents only.
249.1(c)(5)	Parking	At least one and no more than one parking space for each dwelling unit; provided, however, at least one parking space for each five dwelling units for dwellings specifically for senior citizens or physically handicapped persons. Parking for nonresidential uses at a ratio of one space for each 1,500 occupied square feet of office or retail space.	Same as existing, except (i) parking in excess of one parking space per dwelling unit would not be classified as an accessory use; (ii) retail parking would be provided at the ratio of 1 space per 500 sq.ft. of occupied retail space for the first 60,000 occupied sq.ft.; any parking in excess of 60,000 sq.ft. would not exceed a ratio of 1 space per each 1,500 occupied sq.ft. of retail space; and (iii) parking for other commercial uses (including offices) would be provided at the ratio of one space for each 1,500 occupied sq.ft. of space.

Source: San Francisco Planning Code; Rezoning Application 2000.1326Z

The requested rezoning would permit 100 percent site coverage for the building base, an increase from the 80 percent site coverage permitted under the existing Rincon Hill SUD controls. The requested rezoning would thus permit buildings to extend to all property lines and cover the entire development site as long as the required open space was provided. Other provisions of the SUD concerning sidewalk treatment and reduction of ground-level wind currents would not change with the requested rezoning.

The new Residential/Commercial subdistrict is requested with modifications and additions to permitted uses under RC-4 similar to those established for the Residential subdistrict in Planning Code 249.1(c). Under the requested rezoning, the uses allowable in the Residential/Commercial subdistrict would be broader than the uses permitted in the current RC-4 zoning for the Residential subdistrict. Permitted uses would be: (i) dwellings, group housing, hotels, inns and hostels; and (ii) high-density residential uses with supporting commercial uses, provided the residential-to-nonresidential ratio of 6:1 is maintained.¹⁷ Uses along street frontage at grade level would be required to be pedestrian-friendly, have minimum curb cuts and have a minimum of 50 percent retail space or other activity. A nonconforming use would be allowed to be changed to any equally or more conforming use without providing the six to one ratio of required residential space.

The use provisions of the RC-4 District would be applicable to the requested Residential/Commercial subdistrict with the following modifications or additions:

1. institutional uses such as hospitals and medical facilities, laboratories, dormitories, philanthropic facilities, child-care facilities, educational institutions, and religious institutions; and community facilities such as clubhouse or community cultural center, would be permitted as principal uses;
2. utility uses such as telecommunications and internet communication facilities would be permitted as conditional uses;
3. automotive uses such as car rental or sales and storage garage or a nonaccessory parking garage would be permitted as principal uses for up five years to after project construction and thereafter as Conditional Uses;
4. assembly and entertainment uses such as meeting hall, theater, dance hall, night club, bowling alley, skating rink, and shooting gallery; animal services such as veterinary hospital, pet clinic, or commercial kennel; wholesale establishments; light manufacturing uses; and arts activities would be permitted as principal uses; and

¹⁷ All areas used for parking for either residential or commercial uses would be excluded in the calculation of the residential/commercial ratio. Hotels, inns or hostels would be considered commercial rather than residential.

5. business and professional offices above the ground floor; home and business services such as household repairs or interior decorating shops; commercial wireless transmitting, receiving or relay facility would be permitted as conditional uses.

Uses permitted in the requested rezoning, similar to the existing Residential subdistrict, would be subject to the overall 6:1 ratio between residential and nonresidential uses. Unlike the existing Residential subdistrict controls, community facilities, business services, entertainment and automotive uses (similar to those permitted in the adjacent C-3 district) would be permitted under the requested rezoning. Compared to Residential subdistrict controls which confine street frontage at grade level to residential lobbies, parking entrances and exits, and office and retail uses, the requested rezoning controls would specify a minimum of 50 percent retail space or other visually interesting activity for street frontage uses at grade level.

Similar to the Residential subdistrict density controls, the requested rezoning would provide no density limit requirements for residential uses. Unlike the existing Residential subdistrict which provides no density limits for nonresidential uses, the requested rezoning would provide density limits for non-residential uses in the form of a 5:1 FAR. The requested rezoning would also provide that parking area for residential or commercial uses would not be considered part of commercial FAR.

Unlike the existing Residential subdistrict setback controls that require 50 percent of building frontage to be set back at least 25 feet from the front property line above 50 feet in height, the requested rezoning would require 50 percent of the building frontage to be set back at least 12.5 feet from the front property line (or Folsom Street) above 80 feet in height. Additionally, the requested rezoning would require that no portion of a tower above the 80-foot base be required to be set back unless the tower occupies over 50 percent of building frontage. Compared to the setback controls of the existing Residential subdistrict, the requested rezoning would require approximately one-half the amount of building frontage setback and would require the setback at a higher building height (80 feet compared to 50 feet in the Residential subdistrict).

Open space requirements with the requested rezoning would be similar to those applicable in RC-4 Districts rather than those applicable in the existing Residential subdistrict which requires open space to be provided at the ratio of 1:13 for residential uses. With the requested rezoning, about 36 sq. ft. of private open space would be required for each residential unit. Non-residential open space would be required at 1:50. Common usable open space for each residential unit would be permitted to be substituted for private open space at the rate of 133 percent of the amount of required private open space as in other RC-4 districts. Overall, the amount of required open space would be less with the requested rezoning. Similar to the existing Residential subdistrict

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

controls, the requested rezoning would permit up to 40 percent of the open space requirement for residential uses to be met by private open space with the following modification: private open space for each unit would be required to have a minimum area of 36 sq. ft. with a minimum dimension of 4 feet in any direction.

Similar to the existing Residential subdistrict, the rezoning request would establish requirements for parking at a maximum of one parking space per residential unit. Additionally, as with the existing Residential subdistrict controls, parking requirements for office use would be a maximum of one parking space per 1,500 sq. ft. of space. Therefore, parking controls requested by the rezoning would be essentially the same as the existing parking controls provided by the Residential subdistrict with the following exceptions: (i) parking in excess of one parking space per dwelling unit would not be classified as an accessory use; and (ii) retail parking would be provided at the ratio of 1 space per 500 sq. ft. of retail space for the first 60,000 sq. ft., and any parking in excess of 60,000 sq. ft. would be provided at a maximum ratio of 1 space per each 1,500 sq. ft. of retail space. Thus, a greater number of parking spaces would be required for retail uses in the requested rezoning.

Height and Bulk District Changes

A height limit change from 105, 150, and 200 feet to 300 and 400 feet has been requested. The rezoning request would establish a new requirement for a minimum of a 50-foot height differential between towers if two towers are proposed on a development site (that is, if one tower is 400 feet, the other tower could be a maximum of 350 feet). The rezoning request would also establish a maximum height of 80 feet for the building base or podium. The existing SUD controls do not have a height limit for building bases. However, the Residential subdistrict requirement to set back 50 percent of a building frontage at least 25 feet from the front property line above 50 feet in height would make building bases appear to be 50 feet tall in the Residential subdistrict. All space above the 200-foot height level would be required to be devoted to residential use with the requested rezoning. There is no equivalent existing Residential subdistrict requirement.

The existing bulk limit would be changed from R (requiring 50 percent of the building frontage to be set back 5 feet above 80 feet) to a new "W" bulk designation. The requested bulk limits would permit a maximum plan length of 110 feet and a maximum diagonal length of 125 feet for towers up to 300 feet tall, and a maximum length of 115 feet and a maximum diagonal length of 145 feet for buildings over 300 feet tall. A 10 percent volume reduction would be required for the upper portions of towers over 300 feet tall. Above the building base on Folsom Street, at least

50 percent of the 275-foot building frontage would be required to be set back a minimum of 12.5 feet, thereby differing from the Residential subdistrict setback requirement of 25 feet above a height of 50 feet. The rezoning request would establish requirements for a minimum separation of 82.5 feet between towers above a height of 80 feet, if two towers are proposed on a site, as applicable.

The requested height limits would be substantially higher than existing height limits on the project site. Existing height districts covering the requested rezoning area permit building heights between 105 and 200 feet, about 100 to 295 feet shorter than the requested height limits. Existing height districts covering the area immediately adjacent to the requested rezoning area on all sides permit building heights between 80 and 200 feet, about 100 to 320 feet shorter than the requested height limits. Therefore the requested height limits would be double the existing height limits permitted in the project vicinity.

General Plan Amendments

General Plan amendments have been requested to address the new “Residential/ Commercial subdistrict” provisions and related changes within the *Rincon Hill Plan*. The requested amendments to the *Rincon Hill Plan* include:

- amending several Objectives to add reference to the proposed new Residential/Commercial subdistrict and amending Map 3, “Land Use”;
- deleting portions of Objective 20 Policies, and amending Map 5, “Publicly Accessible Open Space Opportunities,” that call for narrowing Main, Beale and Spear Streets;
- identifying separation-of-towers parameters for the new Residential/Commercial subdistrict;
- revising the open space requirements to conform with proposed Planning Code requirements in the proposed new Residential/Commercial subdistrict of the Rincon Hill SUD;
- revising height limits, including amending Map 4.

The changes requested would eliminate the planned reduction in the width of Main, Beale and Spear Streets as recommended in Objective 13, Objective 22, and Objective 26 of the *Rincon Hill Area Plan*. Therefore, the proposed project would not meet these objectives. As requested, the rezoning would divide Rincon Hill into three subareas (residential, commercial/industrial, and residential/commercial) instead of the two included in Objective 3 Policies of the Rincon Hill

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

Plan; and would amend the Land Use Plan (Map 3) to show a new Residential/Commercial subdistrict covering the 300 Spear Street, 201 Folsom Street, and 345 Main Street lots. The full text of requested amendments is presented in Appendix B, Requested Amendments to Planning Code and General Plan.

A new section is requested to be added to Objective 3 Policies of the Rincon Hill Plan (before “Non-Conforming Uses”), describing the requested Residential/Commercial subdistrict, and applying the “Residential/Commercial” designation to those properties (including those in the northern half of Blocks 3745 and 3746) that were previously zoned “P” but that have been or are in the process of being sold to private entities for private development. It would provide that this area, consisting primarily of two large vacant sites, be developed predominantly with high-rise residential structures built over bases containing a combination of residential, retail, office, and parking uses. The request would amend Height Limits (Map 4) to reflect overall height limits of 400 feet and 300 feet for the requested Residential/Commercial subdistrict.

Other changes would revise the *Rincon Hill Area Plan* to make it consistent with the requested rezoning, such as the Rincon Hill parking requirements in Objectives 5 and 26. Additional height would be allowed in the Residential/Commercial subdistrict. A minimum separation of 82.5 feet between towers measured above 80 feet in height would be specified in the Residential/Commercial subdistrict. This 82.5-foot tower separation is based on the predominant street width in the project site vicinity. Open space area requirements under Objective 20 Policies would be replaced with a new ratio of one net square foot of open space per 50 square feet of gross floor area for all non-residential uses; and 36 net square feet of private open space for each residential unit. Common usable open space for each residential unit may be substituted for private open space at the rate of 133 percent of the amount of required private open space. Additionally, the percentage of open space requirement for residential uses that may be met by providing private open space for the exclusive use of residents would be revised from 20 percent to 40 percent under Objective 20 Policies. Sidewalk widening provided in the Plan for Assessors Blocks 3744 to 3748 would be eliminated for Blocks 3745 and 3746, and Map 6 would be revised to reflect this change.

The project would incorporate urban design objective, Objective 12, of the *Rincon Hill Area Plan* to reduce the present industrial scale of the streets by creating a circulation network (in the form of a mid-block pedestrian walk-through) through blocks.

Comparison of Development Project to Existing Controls

P Zoning

The development project as proposed would not be buildable under the existing P (Public) zoning. Under P zoning, the development site could be developed for a building that met the P zoning requirements, for instance, a public or a governmental agency structure. With conditional use authorization, a building housing institutional uses, community facilities uses, open recreational and horticultural uses, public facilities and utilities could be constructed on the development site.

Rincon Hill SUD

Controls requested by the rezoning project would allow 100 percent site coverage, compared to the 80 percent site coverage permitted by the current Rincon Hill SUD controls. Site coverage with the development project would be 100 percent as requested by the rezoning project. Thus, it would not comply with existing Rincon Hill SUD site coverage controls. The development project would comply with all the provisions of Planning Code Section 249.1(b)(2) regarding sidewalk treatment because the project sponsor has agreed to install and maintain improvements such as lighting, paving, and street trees as per requirements.

Wind controls provided in the Rincon Hill SUD are not requested to be changed. According to Planning Code Section 249.1(b)(3), new buildings and additions to buildings may not cause ground-level winds to exceed the comfort criteria more than 10 percent of the time without an exception granted by the Zoning Administrator. An exception may be granted under two circumstances. First, if it can be shown that a building or addition cannot be shaped or other wind-baffling measures cannot be adopted without creating an unattractive and ungainly building form and without unduly restricting the development potential of the building site. Second, if the increase in wind speed is insubstantial because the comfort level is exceeded by a limited amount, in limited locations, or for limited amounts of time. (See Wind discussion, p. 158, and Table 2 of Appendix D, pp. 10-11.)

Rincon Hill SUD Residential Subdistrict

The development project would comply with the use provisions of the Residential subdistrict because it would have residential lobbies, parking entrances and exits, and office and retail uses

III. Environmental Setting and Impacts

A. Land Use, Zoning, and Plan Consistency

along grade-level street frontages. It would also comply with requested rezoning controls because it would have a minimum of 50 percent retail space along grade-level street frontages.

There are no existing SUD density limit controls. The development project would comply with the requested rezoning's density limit controls because FAR for non-residential uses would be within the 5:1 density limit.

Compared to the Rincon Hill SUD Residential subdistrict setback provisions that require 50 percent of the building frontage to be set back 25 feet above 50 feet in height, 50 percent of the building frontage on Folsom Street would be set back a minimum of 12.5 feet above the 80-foot building base. Therefore, the development project would have a substantially smaller setback (half the distance) at a higher level, and the building base would have a higher streetwall height (80 feet) than would be allowed under the existing controls.

Compared to the Rincon Hill SUD Residential subdistrict open space provisions that require open space to be provided at the ratio of 1 sq. ft. per 13 sq. ft. of residential space, the development project would provide open space at the ratio of 36 sq. ft. of private open space for each residential unit. The development project would provide residential open space at a lesser ratio than would be provided under the existing Residential subdistrict controls. Open space would be provided at the ratio of 1:50 for non-residential uses in the development project. There is no equivalent existing Residential subdistrict requirement controlling the provision of nonresidential open space.

The development project would comply with the residential parking provisions (one space per dwelling unit) provided in the existing Residential subdistrict controls. It would also comply with the existing parking requirements for office use which would be provided at the ratio of one space for each 1,500 sq. ft. of occupied space. Unlike the existing parking requirements for retail use which specify one space for each 1,500 sq. ft. of occupied space, retail parking for the development project would be provided at the ratio of one space per 500 sq. ft. of occupied retail space for the first 60,000 sq. ft. Therefore, the development project would provide three times more parking for retail uses than that required under the existing controls.

Height and Bulk Districts

The requested rezoning area is split into three Height and Bulk districts: 105-R, 150-R, and 200-R. The development site is split between two Height and Bulk districts: 105-R and 200-R. Therefore, under the existing 105- and 200-foot height districts, most of the development site

could be developed to a maximum height of 200 feet; a small portion of the site along the rear of the property could be developed up to a maximum height of 105 feet. Under the existing “R” bulk district, development on the site would require that above a height of 51 feet, the horizontal dimension and diagonal dimension for a building be a maximum of 200 feet each; and above a height of 105 feet, the horizontal dimension and diagonal dimension for a building be a maximum of 125 feet each.

Compared to the development project, which proposes a 400-foot-high mixed-use building, allowable development on the 300 Spear Street site under the existing 105-R and 200-R height and bulk controls could be about 200 feet shorter and relatively less bulky than the proposed development project.

Conclusion: Zoning and General Plan

The requested rezoning to RC-4 (Residential-Commercial Combined: High Density) with the Rincon Hill SUD overlay would permit broader uses including mixed residential and commercial uses, and higher density than would be permitted under the existing P (Public) zoning district, and would permit new uses similar to those allowed on or existing on nearby properties. The change to higher-density mixed uses would not cause significant adverse land use effects, but could lead to other physical impacts that are discussed elsewhere in the EIR. For instance, effects on nearby residential and commercial uses due to increased pedestrian activity and auto activity are discussed in Section III.C, Transportation.

The increase in height limits from 105, 150 and 200 feet to 300 and 400 feet, and change from R to a new “W” bulk limit would permit taller and larger buildings in the requested rezoning area. Existing height districts covering the area immediately adjacent to the requested rezoning area on all sides allow building heights between 80 and 200 feet, about 100 to 320 feet shorter than the requested height limits. Therefore, the requested height limits would be double the existing height limits in the project vicinity. This could in turn lead to other physical impacts that are discussed elsewhere in the EIR. For instance, potential effects on nearby residential and commercial uses due to increases in shadow and wind are discussed in Section III.E, Shadows and Wind.

Physical effects that would occur due to changing the controls in the *Rincon Hill Area Plan* of the *San Francisco General Plan* would be similar to those discussed above related to changes in land use, in that they would encourage taller, mixed residential/commercial uses. *General Plan* amendments would establish urban design parameters similar to requirements discussed above

under: “Zoning Changes,” and “Height and Bulk District Changes.” Accordingly, the *General Plan* amendments could lead to physical impacts similar to the physical impacts of zoning district changes, and height and bulk limit changes. As with the changes to zoning, the potential effects of *General Plan* amendments are discussed elsewhere in the EIR.

PROJECT IN CONTEXT OF PROPOSED RINCON HILL MIXED USE DISTRICT

The requested rezoning controls would be similar to those in the proposed Rincon Hill Mixed Use District (RHM) which is currently under review by the Planning Department.¹⁸ The proposed new RHM, similar to the requested rezoning, is intended to stimulate additional high-density residential development in the Rincon Hill area. The RHM proposes increasing building heights from the 84 to 250 feet range to a range of 84 to 400 feet; building heights for the requested rezoning site are proposed by the RHM to be in the range of 350 to 400 feet. Nearly all of the Rincon Hill area not already in the “R” bulk district is proposed to be changed to the “R” bulk designation.¹⁹ The “R” bulk district would be amended to allow an 85-foot podium height limit, slightly more than the 80-foot podium height limit under the requested rezoning. Under the proposed RHM controls, buildings between 85 and 300 feet in height would be limited to a plan length of 100 feet, and buildings between 301 and 400 feet in height to a plan length of 115 feet. In comparison, the new “W” bulk limit under the requested rezoning would permit a maximum plan length of 110 feet for buildings up to 300 feet height, and a maximum plan length of 115 feet for buildings between 300 and 400 feet tall. Additionally, a 10 percent volume reduction would be required for the upper portions of towers over 300 feet tall in the requested rezoning but not in the proposed RHM. Therefore, the basic height and bulk provisions of the RHM are similar to those in the requested rezoning, with the exception that buildings within the 300-foot height limit under the proposed RHM would be slightly less bulky than those under the requested rezoning. Separation between two towers on a site (about 82.5 feet) would be the same under the proposed RHM and the requested rezoning controls.²⁰

¹⁸ See City and County of San Francisco, *2000.1081E: Rincon Hill Mixed Use District, Notice of Preparation of a Draft EIR*, March 10, 2001. The controls proposed by the project would generally be consistent with those proposed by the Transbay Terminal/Caltrain Downtown Extension Project for the Transbay Redevelopment Plan area on the north side of Folsom Street, a project which is currently under review by the Planning Department and San Francisco Redevelopment Agency. City and County of San Francisco, *2000.048E San Francisco Transbay Terminal/Caltrain Downtown Extension Project*, Notice of Preparation and EIR Requirement, March 16, 2001.

¹⁹ With the exception of a small portion of the proposed RHM district to the east and southeast which would remain in the “X” bulk district.

²⁰ The rezoning request would also establish a minimum of a 50-foot height differential between towers if two towers are proposed on a site (that is, if one tower is 400 feet, the other tower could be a maximum of 350 feet). This is not proposed in the Rincon Hill MUD.

As with the requested rezoning there would be no residential density limits under the proposed RHM controls. The proposed RHM would provide a non-residential FAR limit of 7:1, compared to a non-residential FAR limit of 5:1 under the requested rezoning which would mean a higher density of non-residential uses under the RHM controls as compared to the requested rezoning. However, both rezoning proposals would limit commercial space with the 6:1 ratio of residential to commercial space. Compared to residential open space required by the requested rezoning (36 sq. ft. per residential unit), the proposed RHM controls would require the provision of nearly 40 percent more residential open space (50 sq. ft. per residential unit). Non-residential open space would be required at the same ratio (1:50) under both RHM and requested rezoning controls. Off-street parking requirements for residences under RHM (a maximum of one parking space per two dwelling units with no minimum requirement) would be at least 50 percent less than those under the requested rezoning (one parking space per dwelling unit).

● REVISED PROJECT

Land Use, Zoning, and Plan Consistency changes that would result with implementation of the project analyzed in the Draft EIR are set forth on pp. 59-91 and in the Initial Study (Appendix A) on pp. 12-15. The evaluation found that the proposed change in land use would constitute a substantial intensification of land use at the development site. This change would continue and extend existing and planned uses in the area. The project would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity. Therefore, the proposed change in land use would not be a significant impact. With the revised development project, the proposed office use would be eliminated and the development would include residential, retail and parking uses, which would be compatible with existing and planned uses in the area. Therefore, it would not have a significant impact on land use.

Effects of the revised requested rezoning would remain the same as described in the Draft EIR except that commercial (non-residential) space would be limited to a total of about 113,400 gsf on both the project site and the adjacent 201 Folsom Street site. Physical effects that would occur with the requested rezoning due to changing the controls in the *Rincon Hill Area Plan* of the *San Francisco General Plan* would be the same as discussed in the Draft EIR, encouraging taller, mixed residential/commercial buildings; commercial uses would likely be confined to the ground floor under the request rezoning. Therefore, full development under the requested rezoning would be somewhat less and its impacts would be less than or the same as discussed under each topic in the Draft EIR.

B. VISUAL QUALITY/URBAN DESIGN

SETTING

Existing visual quality and urban design conditions, and changes with the proposed development project are discussed in this subsection. Section II, Project Description, and Section III.A, Land Use, Zoning and Plan Consistency, describe the location of the requested rezoning area and development site, the existing built environment on the development site and in the vicinity, and the proposed development.

GENERAL DOWNTOWN FORM

A general pattern of densely clustered high-rise development in the downtown core, tapering off to low-rise development at its periphery characterizes San Francisco's skyline. This compact urban form (the "downtown high-rise urban form") signifies the downtown as the center of commerce and activity. Yet despite its clarity of form, the downtown high-rise urban form is neither smooth nor uniform. A range of building heights in the downtown creates gaps, peaks, dips and inconsistencies within this pattern, allowing taller buildings and building tops to stand out in profile against the sky. This tension between conformity and variety in the skyline results in a readable and recognizable image for San Francisco.

South of the Transbay Terminal, from Main Street westward, the Terminal and its associated bus ramp system and rights-of-way have constrained post-World War II development. Building heights along this southern edge of the downtown high-rise urban form tend to drop off abruptly. The downtown area immediately south of the Transbay Terminal is occupied by surface parking, bus ramp structures, I-280 freeway off-ramps, and low-rise early Twentieth Century buildings. Several new low and mid-rise buildings have been constructed, are being constructed, or have been recently approved for this area. By contrast, east of Main Street, the southern edge of the downtown high-rise urban form has not been constrained by the Transbay Terminal. The transition from the high-rise downtown core southward is more tapered and gradual. This general effect is particularly evident when this area is viewed from the Bay Bridge approaching the City.

Comparatively low buildings along the waterfront contribute to the tapering of height with the decrease of elevation from hilltops to water that is characteristic of San Francisco; this pattern allows views of the Pacific Ocean and the Bay. In the project vicinity, the transition from inland to the waterfront is similarly marked by a gradual stepping down of heights, as is recommended by the *Rincon Hill Area Plan* and the Urban Design Element of the *General Plan*. Nearby

buildings on the waterfront incorporate an intricate, staggered design and are set back from the waterfront above the building base and at the upper levels. This design approach acknowledges the meeting of land and water while respecting the natural topography of the area; reduces the appearance of a towering street wall; and helps maintain a pedestrian-friendly environment close to the waterfront.

PROJECT VICINITY

The collective mass of high-rise buildings in the downtown Financial Core is the “most prominent man-made component” of the City’s skyline.¹ The requested rezoning area is on the southern periphery of this “prominent downtown high-rise urban form.” It is part of the Rincon Hill Area, which has historically been characterized by predominantly low- to mid-rise industrial buildings and surface parking lots. Currently, the area is in the process of transformation and a number of comparatively high-intensity residential developments are under construction or have obtained approval to be built.

Vacant Land

The immediate project vicinity is not characterized by a large degree of visual coherence. Its visual character is primarily defined by large areas of vacant land, including most of the rezoning area. Intervening between the immediate project vicinity and the downtown to the north is a mostly vacant east-west strip of land. This land, largely zoned P (Public Use), comprises the rights-of-way for Transbay Terminal bus ramps, I-280 Freeway off-ramps, and land formerly occupied by ramps to the now demolished Embarcadero Freeway. This is a portion of the area proposed to be included in the Transbay Redevelopment Project Area. The Golden Gate Transit bus parking lot occupying most of the block bounded by Folsom, Main, Howard and Beale Streets, and the two parking lots occupying the southern halves of blocks bounded by Folsom, Beale, Howard and Fremont Streets and by Folsom, Fremont, Howard and First Streets, respectively, are some of the publicly owned and large-scale potential development sites in the proposed Transbay Redevelopment Project Area.

In the immediate vicinity, large and vacant unrelieved expanses together with the comparatively large block sizes and wide streets typical for this South-of-Market area, create a sense of scalelessness for pedestrians, accentuating perceived distances. The primary visual contribution of the vacant land is the unobstructed views that it affords northward to the downtown.

¹ City and County of San Francisco, *Downtown Area Plan of the General Plan*, p. II.I.27.

Early Twentieth Century Buildings

Early Twentieth Century buildings punctuate the area intermittently. The most notable is the Hills Brothers Coffee Plant, southeast of the development project site. This six-story, red brick industrial building, built in 1925, is designated as City Landmark No. 157. It is distinguished by its Romanesque Revival style, decorative brickwork, tile-roofed campanile, and round-arched upper-story windows and arcade. In 1989 the building was incorporated into the mixed-use Hills Plaza complex. The new portion of the complex, to the north of the landmark, is designed to be compatible with its brick facing, deeply recessed vertical fenestration, low base element and hip roofed tower. The scale of the new building is broken down by means of sculptural articulation and by varied exterior treatment. Another nearby early Twentieth Century building is 301 Folsom Street, a four-story concrete warehouse building (now The Embarcadero Lofts residences) west of the development project site across the adjacent vacant site at 201 Folsom Street. The 301 Folsom Street building, built in 1937, is characterized by its classically derived elements executed in a stylized, restrained “Art-Moderne” idiom. South of the development site on Spear Street is 400 Spear Street, a two-story brick industrial building (now residences). The 400 Spear Street building was originally built possibly as early as 1856, with subsequent additions. It is distinguished by its corbeled cornice, regularly spaced brick pilasters dividing the facade into bays of paired, segmentally arched windows.

The immediate project area is not within any district designated at the local, state or federal level for its historic or architectural character. Although the existing low-rise early Twentieth Century buildings within the vicinity contribute to the varied visual character of the area, they are too dispersed and few in number to define the visual character of the immediate area.

Other Nearby Buildings

East of the development site and north of the vacant strip of parking lots that separates the project area from the downtown, is a combination of high-rise and mid-rise development. Across Folsom Street and north of the development site is the 16-story Gap Inc. Headquarters building at 250 The Embarcadero, an 18-story office building at 201 Spear Street, a 17-story office building at 221 Main Street, the 17-story Charles Schwab building at 211 Main Street, a seven-story structured parking lot, a six-story office building at 220 Spear Street, a five-story office building at 101 Howard Street, and a four-story office building at 210 Spear Street.

The adjacent blocks to the south across Harrison Street are characterized by a combination of low- and mid-rise buildings with heights ranging from 2 to 13 stories: the five-story office building at One Harrison Street, the nine-story Portside II residential building at 403 Main Street,

the 12-story Bridge View Towers residential building under construction at 400 Beale Street, and the 13-story Bay Crest residential building at 201 Harrison Street. The adjacent blocks to the west across Main Street are characterized by predominantly low-rise development and parking lots with the exception of the eight-story USPS building; for instance, the two-story industrial buildings at 160 and 200 Folsom Streets, the surface parking lot at the corner of Main and Howard Streets; and the parking lot at 201 Folsom Street.

These buildings assume a variety of forms. They are horizontal and boxlike in massing (like 390 Main Street and 360 Spear Street), vertical and boxlike in massing (like 211 and 221 Main Street), irregular in form (like Hills Plaza), symmetrical and tiered in form incorporating successive setbacks (like the Gap Inc. Headquarters) or irregular and angular in form (like Avalon Towers and Hills Plaza). They are flat-topped (like 221 Main Street) or terminated with a distinctive feature (like Avalon Towers, Hills Plaza and the Gap Inc. Headquarters).

Buildings in the project vicinity also employ a variety of exterior treatments. They are rough-textured (like Hills Plaza and 221 Main Street), and smooth-skinned (like Avalon Towers and 360 Spear Street). They are clad in brick (like the Gap Inc. Headquarters and Hills Plaza), stucco, masonry panel (like 345 Main Street), or metal and glass curtain wall (like 211 Main Street).

Despite a high degree of visual heterogeneity among nearby buildings, broad patterns are discernible. Buildings are generally built to the property line and maintain a five-to eight-story streetwall. Ground floors, and often the second floor, are generally differentiated from the upper floors with projecting band courses, awnings, or by other means. Fenestration is horizontal in proportion and facade organization is generally horizontal in emphasis contributing to a horizontal stacked appearance.²

Development Site

The development site is a 275-foot by 275-foot, 290-vehicle, surface parking lot with no existing buildings or trees. The 201 Folsom Street site, immediately west of the development site, is a 270-vehicle surface parking lot with no existing buildings or trees. The 345 Main Street lot, to the immediate south, is occupied by the five-story telecommunications/utility building. The remaining portions of Assessor's Blocks 3745 and 3746 that are not part of the requested rezoning are occupied by 360 Spear and 390 Main Street. The five-story Telecom Center 1

² Hills Plaza is an exception. Its windows are vertical in proportion and its expressed piers and recessed spandrel panels contribute to a verticality of exterior expression.

building at 360 Spear Street is immediately south of the development site. The eight-story U.S. Postal Service Annex at 390 Main Street is across Main Street west of the development site.

VIEWS

View corridors are defined as physical elements such as buildings and structures that guide lines of sight and control view directions available to pedestrians and motorists. The 300 Spear Street development site affords several prominent views to surrounding areas, including The Embarcadero, the Bay and the Bay Bridge to the east; the skyline of downtown San Francisco and the Financial District to the north; and the anchorage of the overhead Bay Bridge, and the Rincon Point - South Beach area to the south.

The Folsom Street view corridor in the project vicinity is framed by a combination of parking lots and mid- to high-rise buildings looking east towards The Embarcadero, and by low- to mid-rise buildings looking west. In the project vicinity, the Harrison Street view corridors in both east and west directions are framed by low- to mid-rise buildings. The Main and Spear Street view corridors in the project vicinity are framed by low- to mid-rise buildings looking south towards Rincon Point-South Beach area and The Embarcadero, and by progressively taller buildings looking north towards the Downtown and the Financial District.

The visual setting of the area one block east of the development site is dominated by the Bay and its attendant waterfront features, such as the Bay Bridge, the waterfront promenade, the piers, and The Embarcadero. In the project vicinity, the undeveloped land along the waterfront and to the immediate east of The Embarcadero is the site of the future Rincon Park. Buildings fronting The Embarcadero, such as Hills Plaza and the Gap Inc. Headquarters, display staggered massing and graduated setbacks above the building base and at the upper levels in deference to their waterfront context. The stepped-down form of these waterfront properties and the manner in which they frame the view from the waterfront looking west down Folsom Street is shown in Figure 25, View A, p. 102. A portion of the site of the future Rincon Park (under-construction) is visible in the foreground of this view.

Immediately behind the Gap Inc. Headquarters on the north side of Folsom Street are high-rise office buildings, including the 17-story Charles Schwab building, between Spear and Main Streets. Behind the high-rise buildings are three publicly owned large-scale development sites, currently used as surface parking, in the proposed Transbay Redevelopment Project Area. Behind Hills Plaza are the development site, the 201 Folsom Street site, a five-story loft building at 300 Beale Street, and the PG&E substation at the intersection of Folsom and Fremont Streets; these can be seen further in the distance in Figure 25: View A.

III. Environmental Setting and Impacts

B. Visual Quality and Urban Design

Views of the area flanking Spear Street south of Folsom Street and up to the anchorage of the Bay Bridge are predominantly low- and mid-rise in scale, with the exception of the parking lot on the undeveloped 300 Spear Street site. North of Howard Street, buildings get progressively taller and larger in scale as they approach the Downtown. The visual setting looking north on Spear Street from the anchorage of the Bay Bridge is illustrated in Figure 26: View A, p. 103. It includes the two-story Harbor Lofts building at 400 Spear Street, the five-story Telecom Center 1 at 360 Spear Street, the development site, the 17-story office building at 221 Main Street, and the four- to six-story office buildings on the west side of Spear Street, north of Folsom Street. Views of the five-story office building at One Harrison Street and Hills Plaza, to the east of Spear Street, are partially obscured by street trees planted along the eastern edge of the street.

In the project vicinity, the north side of Folsom Street is characterized by a combination of large parking lots and buildings that get progressively taller towards the east before stepping down in height near the waterfront. The south side of Folsom Street in the project vicinity is characterized by mainly low- to mid-rise buildings with the exception of the 18-story residential portion of Hills Plaza. The existing view looking east from Folsom Street three blocks west of the development site is illustrated in Figure 27: View A, p. 105. In this view, a surface parking lot is visible along the north side of the Folsom Street sidewalk in the foreground; behind the parking lot toward the northeast a portion of the high-rise office building at 199 Fremont Street can be seen. Directly across Folsom Street on the south side, a four-story office building at 501 Folsom Street, the PG&E substation and the four-story lofts at 345 Folsom Street are visible. Distant views of high-rise office buildings, including the Gap Inc. Headquarters, the office building at 221 Main Street, and the Charles Schwab building at 211 Main Street, are visible on the north side of Folsom Street. A four-story office building at 345 Folsom Street, a five-story loft building at 300 Beale Street and the high-rise portion of Hills Plaza can be seen in the distance on the south side of Folsom Street in this view.

The upper deck of the San Francisco - Oakland Bay Bridge affords expansive views of the City and the Bay, including the meeting of land and water, distant views of the hills, Twin Peaks and Mount Davidson, towards the west. The "urban landform hill" created by the 400- to 600-foot-tall buildings in the heart of Downtown that gradually slopes down towards the south and the waterfront is visible from the Bay Bridge. (See Figure 28: View A, p. 106.) From this view, the gradual down-sloping profile of the southern periphery of the downtown high-rise urban form is seen against the undulating ridgeline of the hills that rise in the background. This linear juxtaposition of the urban built form and natural land forms contributes to a clear and recognizable image for motorists as they enter the City.

The distant view of downtown from atop Twin Peaks shows the downtown skyline against the San Francisco Bay and the East Bay hills beyond. (See Figure 29: View A, p. 108.) Prominent landmarks from this vantage point are the Transamerica Pyramid, Market Street and the Bay Bridge. The tapered downslope at the southern periphery of the downtown high-rise urban form appears to end near the foot of the Bay Bridge. Scattered high-rise residential buildings are seen to the north of the downtown core beyond the periphery of downtown.

IMPACTS

SIGNIFICANCE CRITERIA

A project would have an adverse impact on visual quality if it would cause a substantial, demonstrable negative aesthetic effect. The project would have such an effect if it were to: (1) be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area; or (2) substantially change important view corridors and obstruct scenic views.

Changes in visual quality and urban design would result from three aspects of the proposed project: 1) removal of the parking lot on the site; 2) rezoning of portions of Assessor's Blocks 3745 and 3746, including the development site, from P to RC-4, and increasing the height limits from 105, 150, and 200 feet to 300 and 400 feet; and 3) construction of the proposed development project.

COMPARISON WITH EXISTING VISUAL QUALITY / URBAN DESIGN ENVIRONMENT

The proposed development would increase the scale of development on the 300 Spear Street site from a paved surface parking lot to towers of 400 feet and 350 feet. The height and bulk of the proposed building would be greater than that of other development in the surrounding Rincon Hill area. Several high-rise buildings have been built recently or are under construction in the Rincon Hill area within three blocks of the development site, including the 19-story Avalon Towers at 388 Beale Street, the 26-story residential building under construction at 400 Beale Street, and the high-rise building recently approved at 331 First Street at the intersection of First and Folsom Streets. (See Figure 23, p. 62, for the location of nearby existing and approved residential projects.)

The development proposes two residential towers, 400 feet and 350 feet in height. The building bases would be built to the property lines on Spear, Folsom, and Main Streets, thereby

III. Environmental Setting and Impacts

B. Visual Quality and Urban Design

maintaining a street wall height of about 80 feet, and would enclose an open-to-sky courtyard that would occupy approximately one-third of the development site accessible at the courtyard (third) level from Spear and Main Streets. Beginning at the courtyard level, the Folsom Street podium would have a 40-foot-long terrace mid-block along Folsom Street. (See Figure 11, p. 44.) A setback above the eighth level of the Folsom Street podium would create a terrace extending for about 50 percent of the Folsom Street frontage to the Spear Street corner.

The two towers, the 350-foot Main Street Tower and 400-foot Spear Street Tower, would be placed at the diagonal corners of the site to create the greatest separation between towers. The mass of each tower would be reduced at the upper levels by employing a system of setbacks and terraces to respond to the urban design objectives in the *Rincon Hill Area Plan* to design towers with slender, stepped, and tapered silhouettes. At the ninth and tenth floors, the Spear Street tower and the Main Street tower, would be set back at all four corners from the building base. Beginning at the 25th floor, portions of the Main Street Tower would be further set back on the east, south, and west sides. Portions of the Spear Street Tower would be further set back from the east, north and west sides beginning at the 30th floor.

A variety of materials, such as stone, precast concrete, metal and lightly tinted glass would be used in the building's facade. The design of the exterior skin is intended to accentuate the articulated massing and vertical proportions of the proposed towers, add visual interest, organize the facade and break down the towers' actual and perceived volume. Each tower would be terminated by a vertical flagpole above a sloped cylindrical form that would screen mechanical systems from view and is intended to give the towers a distinctive profile.

The development project would include features that are intended to unite the building with nearby existing and future buildings, enhance the pedestrian environment and convey a sense of human scale at street level. A horizontal eight- to nine-story podium "base" element would be articulated and differentiated from the towers above by setbacks and horizontal band courses. The base element would hold the streetwall and extend horizontally to create continuity with the adjacent horizontal bases at Hills Plaza, Gap Headquarters and the proposed 201 Folsom Street project. A high retail ground floor with transparent storefronts is intended to create visual interest for pedestrians. The horizontality of the base is relieved by setbacks and by expressed piers that are intended to create visual interest, texture and rhythm. A projecting horizontal string course would set off the ground stories and is intended to reinforce the horizontal articulation of the base element and provide a sense of human scale at street level by interrupting the eye as it travels up the building.

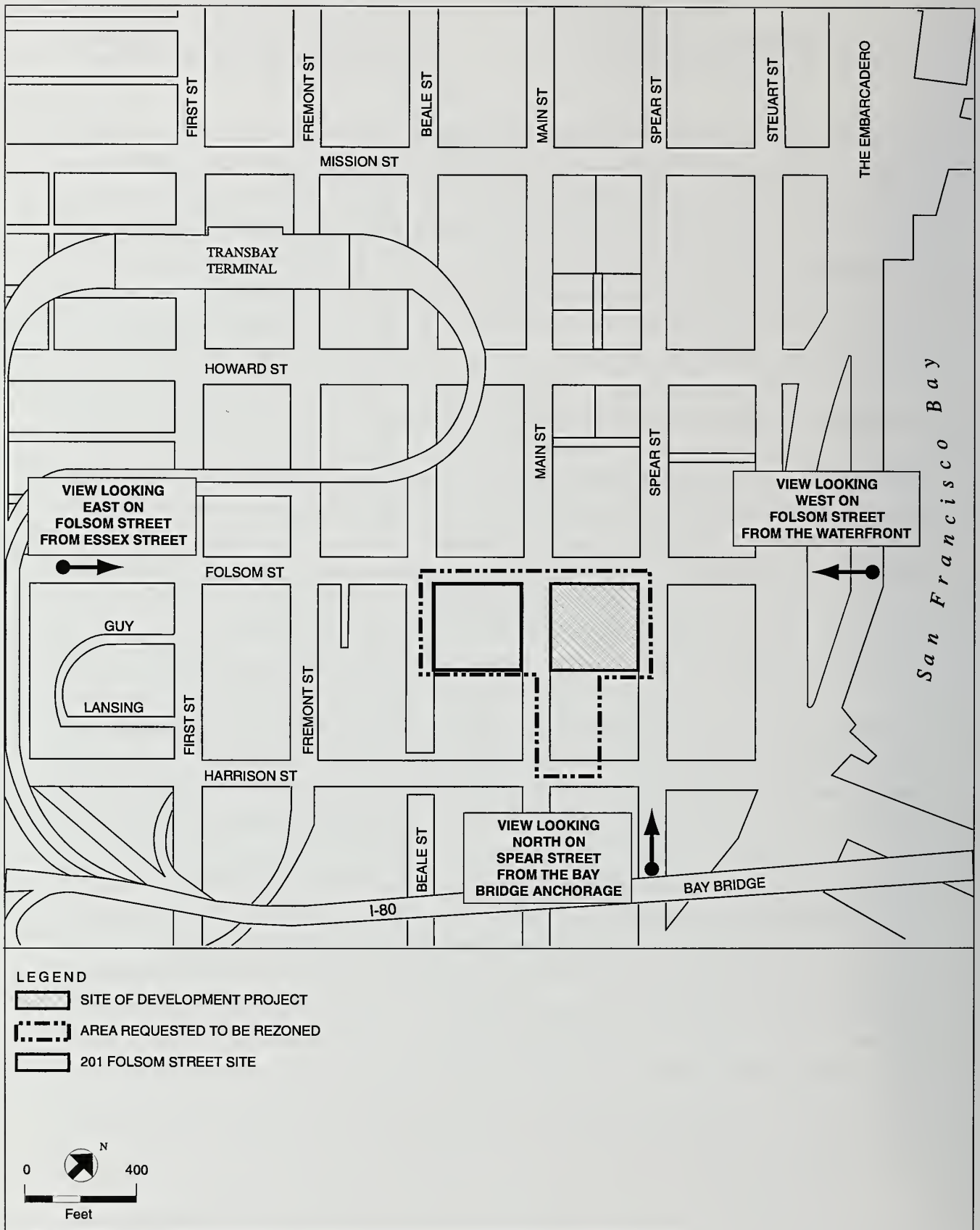
The visual analysis in this EIR also considers the implications of the requested rezoning of portions of Assessor's Blocks 3745 and 3756, including the requested height limit change from 105, 150 and 200 feet to 400-foot and 300-foot height limits. Therefore, the development proposed on the adjacent parking lot at 201 Folsom Street is analyzed in conjunction with the proposed project and shown in the accompanying Figures as representative of what could be developed under the requested rezoning. A residential development with two high-rise towers above a building base is proposed at 201 Folsom Street, similar to the proposed development at 300 Spear Street.

VIEWS OF THE PROPOSED DEVELOPMENT PROJECT

Photographs showing representative views of the development site have been taken at three ground-level locations, from the San Francisco - Oakland Bay Bridge, and from atop Twin Peaks. Visual simulations of the development project and adjacent 201 Folsom Street proposal were developed from these selected view points. (See Figure 24: Viewpoint Locations.) The proposed development, along with the proposed 201 Folsom Street would create a vertical high-rise form at the current southern periphery of the downtown high-rise urban form. The overall visual effect would be to extend the downtown high-rise urban form further southward.

Figure 25: View Looking West on Folsom Street from the Waterfront Promenade, illustrates views looking west on Folsom Street from The Embarcadero across the development site of the future Rincon Park. The development project's 400-foot-tall Spear Street Tower, including setbacks at the upper floors, would rise behind the five-story commercial portion of Hills Plaza. The development project would not conform to the general pattern evident to the north of the development site, which is characterized by a gradual stepping down of building heights eastward to The Embarcadero and the water's edge. Rather, the proposed development would increase in height towards the water as its eastern Spear Street tower is the taller of the two proposed towers. A portion of the development project's 350-foot-tall Main Street Tower would be visible behind the 225-foot-tall high-rise residential portion of Hills Plaza in View B. This tower would replace views of the five- to ten-story buildings two blocks to the west at the intersection of Folsom and Beale Streets. Setbacks on the Main Street Tower's eastern facade would be visible above the 26th floor and from its northern facade above the 28th floor. Behind the development project's Main Street Tower, a portion of the proposed 201 Folsom Street 33-story residential tower and building base would also be visible.

The view looking north along Spear Street from the anchorage of the Bay Bridge is shown in Figure 26: View Looking North on Spear Street from the Bay Bridge Anchorage. View B shows both residential towers of the development project. The Spear Street Tower would be



SOURCE: Turnstone Consulting

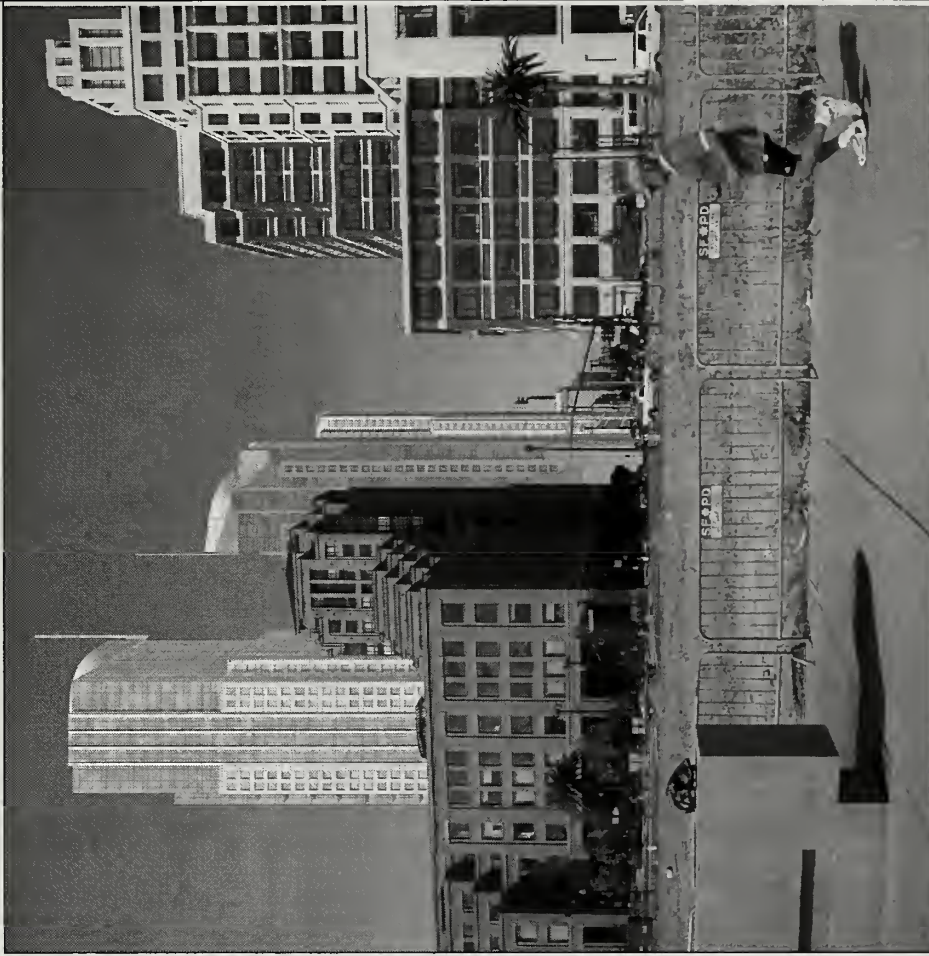
FIGURE 24: VIEWPOINT LOCATIONS



HILLS PLAZA
(with development site behind it)

GAP INC.
HEADQUARTERS

A. EXISTING



PROPOSED DEVELOPMENT
SPEAR STREET TOWER
(behind Hills Plaza)

PROPOSED DEVELOPMENT
MAIN STREET TOWER
(behind Hills Plaza)

PROPOSED
201 FOLSOM STREET

B. PROPOSED PROJECT

SOURCE: Square One Productions and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 25: VIEW LOOKING WEST ON FOLSOM STREET
FROM THE WATERFRONT PROMENADE



- ↑ HARBOR LOFTS
400 SPEAR STREET
- ↑ TELECOM CENTER 1
360 SPEAR STREET
(with development site behind it)
- ↑ 221 MAIN STREET
- ↑ HILLS PLAZA
(behind trees)

A. EXISTING



- ↑ PROPOSED
201 FOLSOM STREET
(behind Harbor Lofts)
- ↑ PROPOSED DEVELOPMENT
MAIN STREET TOWER
(in background)
- ↑ PROPOSED DEVELOPMENT
SPEAR STREET TOWER
(in background)

B. PROPOSED PROJECT

SOURCE: Square One Productions and Turnstone Consulting

300 SPEAR STREET

2000.1090E

**FIGURE 26: VIEW LOOKING NORTH ON SPEAR STREET
FROM THE BAY BRIDGE ANCHORAGE**

III. Environmental Setting and Impacts

B. Visual Quality and Urban Design

prominently visible as would the Main Street tower. The proposed towers would be substantially taller than the two- to five-story buildings at the intersection of Spear and Harrison Streets in the foreground of this view. The view of the 17-story office building at 221 Main Street, located mid-block on Main Street north of Folsom Street, would be partially blocked. The proposed 201 Folsom Street's 350-foot-tall residential tower also would be visible behind the two-story Harbor Lofts building. The proposed development project and the proposed 201 Folsom Street would step up from the existing high- and mid-rise development south of Folsom Street.

Figure 27: View Looking East on Folsom Street from Essex Street, illustrates views looking east on Folsom Street three blocks west of the development site. On the south side of Folsom Street, the proposed massing of the 300 Spear Street development would be visible behind the proposed 201 Folsom Street in View B. A high-rise residential development under construction at 333 First Street and the PG&E electrical substation are in the foreground on the south. The 300 Spear Street residential towers would be obscured by the proposed 201 Folsom Street development; only a portion of the Folsom Street frontage of the 350-foot-tall Main Street Tower would be seen behind the proposed 201 Folsom Street building. Views of Hills Plaza with the Bay Bridge in the background would be obstructed by the proposed 300 Spear Street and 201 Folsom Street buildings. The proposed development project and the proposed 201 Folsom Street would appear substantially taller than existing buildings in the surrounding areas south of Folsom Street.

Figure 28: View Looking West from the Bay Bridge, illustrates views looking west from the upper deck of the San Francisco - Oakland Bay Bridge. As seen in View B, views looking west from the upper deck of the San Francisco - Oakland Bay Bridge would include portions of the proposed 350-foot-tall Main Street Tower and 400-foot-tall Spear Street Tower. The Spear Street Tower would be prominently visible, including setbacks at the 32nd floor and above, behind the high-rise portion of Hills Plaza. Behind the development project towers, portions of the proposed 201 Folsom Street would be visible. The 400 Beale Street residential building is shown to the left of the 300 Spear Street development project and the proposed 201 Folsom Street, blocking the view of most of the Bank of America Tower behind it. The development project's residential towers would be taller than existing buildings in the vicinity, but they would be the same height as or shorter than most high-rise office towers in the Downtown area north of Folsom Street.

The proposed development, along with the proposed 201 Folsom Street would create a dense high-rise cluster at the southern periphery of the downtown high-rise urban form. This new form would alter transitory views enjoyed by motorists moving westbound on the Bay Bridge. From certain points, it would introduce a vertical volume that would bisect the ridgeline of the hills beyond, temporarily altering the relationship that exists in the juxtaposition of the sloped urban form in the foreground and the natural form of the hills beyond.



A. EXISTING

GAP INC.
HEADQUARTERS

HILLS
PLAZA

PG&E
SUBSTATION

501 FOLSOM STREET



B. PROPOSED PROJECT

PROPOSED DEVELOPMENT
MAIN STREET TOWER
(in background)

PROPOSED
201 FOLSOM STREET

333 FIRST STREET
(under construction)

SOURCE: Square One Productions and Turnstone Consulting



A. EXISTING

↑
HILLS PLAZA
(with proposed development
site behind it)

↑
GAP INC.
HEADQUARTERS



B. PROPOSED PROJECT

↑
400 BEALE STREET
(under construction)

↑
PROPOSED
201 FOLSOM STREET
(behind proposed development)

↑
PROPOSED DEVELOPMENT
SPEAR STREET TOWER
(behind Hills Plaza)

↑
PROPOSED DEVELOPMENT
MAIN STREET TOWER
(behind Hills Plaza)

SOURCE: Square One Productions and Turnstone Consulting

III. Environmental Setting and Impacts

B. Visual Quality and Urban Design

The development project at 300 Spear Street and proposed the 201 Folsom Street would create a lower, secondary and peripheral high-rise urban form in the Rincon Hill area between the downtown high-rise urban form to the north and the relatively lower elevation areas of China Basin Channel and the waterfront to the south. The lower and smaller high-rise urban form of the Rincon Hill area would have a 400-foot height limit, whereas the Downtown has buildings reaching over 600 feet in height. The “valley” between these two high-rise urban areas, extending roughly from Mission to Folsom Streets, has a predominantly 200-foot height limit and is occupied by low- and mid-rise buildings or is vacant. Heights in this transition area could increase if the proposed Transbay Redevelopment Plan Area is approved and implemented.

In Figure 29: View Looking East from Twin Peaks, the proposed development project is seen in the context of the entire downtown. The development project would be at the southern periphery of the downtown high-rise urban form, extending this high-rise urban form southward. The proposed development project along with the proposed 201 Folsom Street development would bisect a portion of the view of the San Francisco - Oakland Bay Bridge, replacing the view of a bridge tower.

Conclusion

The development project, together with the similarly scaled 201 Folsom Street, proposed within the area of the requested rezoning, would constitute a substantial change in the visual environment south of Folsom Street. The two developments would replace two surface parking lots with high-rise residential developments having towers of 350 feet and 400 feet in height. The proposed development project and proposed adjacent development would step up from existing buildings of varying height and bulk nearby in the Rincon Hill area.

The development project would not substantially change important view corridors and obstruct scenic views. From moving vantage points for westbound motorists on the Bay Bridge, the proposed development project, along with the proposed 201 Folsom Street, would alter the transitory visual relationship between the down sloping urban built form in the foreground and the natural form of the hills beyond.

The development project would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area. Large expanses of vacant land in close proximity to the dense downtown core, including the development site, characterize much of the immediate vicinity. The project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed development project. The development project would not entail



A. EXISTING



B. PROPOSED PROJECT

PROPOSED DEVELOPMENT
SPEAR STREET TOWER
(behind proposed 201 Folsom Street development)

8.9.02

SOURCE: Square One Productions and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 29: VIEW LOOKING EAST FROM TWIN PEAKS

the demolition of any historic, visual or open space resource. The proposed 300 Spear Street building would include features that are intended to enhance the pedestrian environment, convey a sense of human scale and visual interest at street level and create continuity with nearby existing and future buildings.

For these reasons, although the proposed building in combination with development at the 201 Folsom Street site would dramatically change the visual character of the site and vicinity, and would alter the existing pattern of heights at this southern periphery of the downtown high-rise urban form, the proposed rezoning and development project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

● REVISED PROJECT

Changes to the visual quality and urban design of the existing environment that would result with the implementation of the project analyzed in the Draft EIR are set forth on pp. 92-109 and in the Initial Study (Appendix A) on p. 16. The building design of the revised development project would have the same tower heights above an 80-foot-tall base structure and would be visually similar to the project, with the exception of the following design changes: podium buildings would have a north-south orientation instead of an L-shaped design; the combination bay window/balcony feature would be added to the residential units of the two towers; the “bridge” structures over the pedestrian entrances at Main and Spear Streets would be removed; and flagpoles at the top of each tower would be removed. The addition of the combination bay window/balcony system would result in slightly bulkier towers than the design in the Draft EIR.

The revised development project, together with the similarly scaled 201 Folsom Street, proposed within the area of the requested rezoning, would constitute a substantial change in the visual environment south of Folsom Street, as would the project evaluated in the Draft EIR.

The Draft EIR noted that the development project would not substantially change important view corridors or obstruct scenic views. The revised project, with two towers of the same height, and orientation and similar bulk, would be viewed in a similar manner.

The revised development project, like the Draft EIR proposal, would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area. Large expanses of vacant land in close proximity to the dense downtown core, including the development site, characterize much of the immediate vicinity. The project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed development project.

III. Environmental Setting and Impacts

B. Visual Quality and Urban Design

Similar to the Draft EIR proposal, the proposed 300 Spear Street building would include features that are intended to enhance the pedestrian environment, convey a sense of human scale and visual interest at street level and create continuity with nearby existing and future buildings.

For these reasons, the revised project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

C. TRANSPORTATION¹

SETTING

The existing conditions (including traffic, transit, parking, pedestrians and bicycles) presented in this analysis are based on observations and counts conducted in 2000 and 2001, plus the most-recent data obtained from the San Francisco Municipal Railway (MUNI) and the regional transit operators.

TRANSPORTATION STUDY AREA

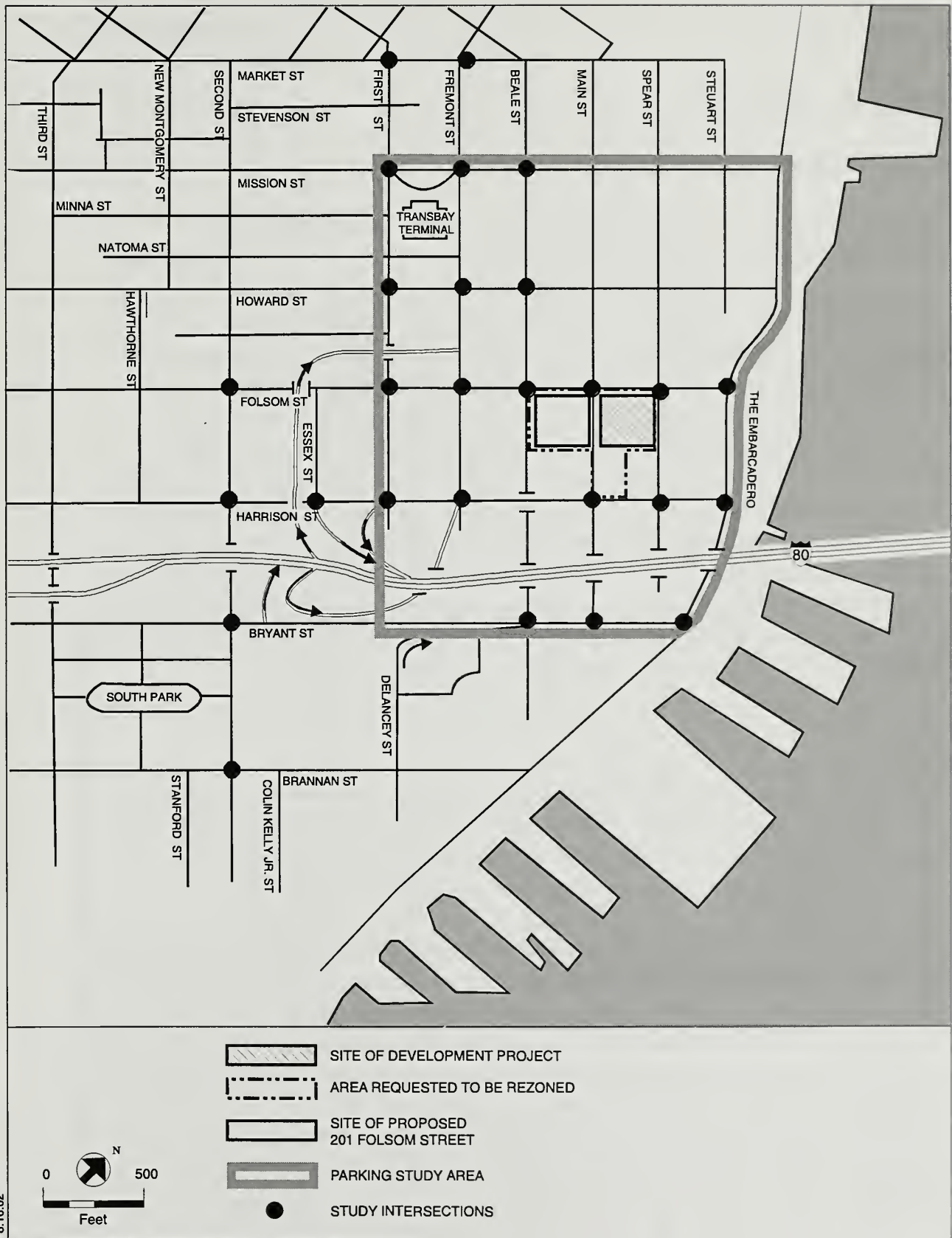
The transportation analysis established study areas around the project site for traffic, transit and parking. These study areas are shown on Figure 30: Transportation Study Areas.

For the traffic analysis, 27 study intersections were identified as locations likely to be most affected by the proposed project. The study intersections include most of the intersections between Market Street to the north, The Embarcadero to the east, Bryant Street to the south and Second Street to the west. Intersections more distant from the project site were not analyzed as part of this study, since project-generated traffic would be dispersed among the many local streets farther from the project site, and consequently, would be less than at the study intersections.

The transit study area includes the local and regional transit service within two blocks of the project site.

The parking study area is bounded by Mission Street to the north, The Embarcadero to the east, Bryant Street to the south and First Street to the west. The pedestrian and bicycle study area includes the local streets adjacent to the project block.

¹ The information in this section is from the *300 Spear Street / 201 Folsom Street Transportation Study – Final Report*, January 31, 2002, prepared by Wilbur Smith Associates. This report is on file and available for public review by appointment at the San Francisco Planning Department, located at 1660 Mission Street.



SOURCE: Wilbur Smith Associates and Turnstone Consulting

ROADWAY NETWORK

Regional Freeways

The project site is served by Interstate 80 (I-80), U.S. 101 and Interstate 280 (I-280). I-80 provides the primary regional access to the project area. The San Francisco-Oakland Bay Bridge is part of I-80 and connects San Francisco with the East Bay and points east. I-80 runs through the study area approximately one block south of the project site. Access to and from the project site is via off-ramps at Fremont, Harrison, and Fourth Streets; and via on-ramps at First and Harrison Streets, Essex Street, and Sterling Street (high-occupancy vehicles only).

U.S. 101 provides access to areas north and south of the project area. I-80 joins U.S. 101 southwest of the project site, providing access to the Peninsula and South Bay. Nearby access to U.S. 101 southbound is from I-80. U.S. 101 connects San Francisco and the North Bay via the Golden Gate Bridge. In northern San Francisco, U.S. 101 operates on surface streets (Van Ness Avenue and Lombard Street). I-280 provides regional access to southwest San Francisco and the South Bay/Peninsula. I-280 and U.S. 101 have an interchange south of downtown San Francisco. Nearby access points to I-280 are located at King near Fifth Street and at Sixth and Brannan Streets.

Local Streets

In the South of Market area, streets that run in the northwest/southeast direction are generally considered north-south streets, whereas streets that run in the southwest/northeast direction are generally considered east-west streets. Table 2 presents the *San Francisco General Plan* designations and bicycle routes for the streets in the vicinity of the project site.

Market Street is a two-way arterial that runs between Steuart Street to the east and Portola Drive to the west. Mission Street is a four-lane arterial that runs in an east-west direction between The Embarcadero and Van Ness Avenue, and continues in a north-south direction west of Van Ness Avenue. Left turns from Mission Street are generally prohibited between Main/Beale Streets and Tenth Street. One of Mission Street's two lanes in the westbound direction, between Main and Third Streets (7:00 a.m. to 6:00 p.m., weekdays) and between Fourth and Eleventh Streets (4:00 to 6:00 p.m., weekdays), is dedicated as a right-turn/bus-only lane. In the eastbound direction, Mission Street has a bus lane between Third and Beale Streets (7:00 a.m. to 6:00 p.m., weekdays).

Table 2: General Plan Designations for Local Street Network

General Plan Designations¹				
Street	Vehicular²	Transit³	Pedestrian⁴	Bicycle⁵
Market Street	- Transit Conflict Street in CMP Network	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street - Citywide Pedestrian Network Street	- Citywide Bicycle Route
Mission Street	- Transit Conflict Street in CMP Network	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street - Citywide Pedestrian Network Street	-
Howard Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	-	- Citywide Bicycle Route
Folsom Street	- Major Arterial in CMP Network - MTS Street	-	-	- Citywide Bicycle Route
Harrison Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	- Neighborhood Commercial Street	-
Bryant Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	- Neighborhood Commercial Street	-
Brannan Street	- Major Arterial in CMP Network - MTS Street	-	-	-
The Embarcadero	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Important)	- Neighborhood Commercial Street	- Citywide Bicycle Route - Bay, Ridge and Coast Trail (continued)

III. Environmental Setting and Impacts
C. Transportation

Street	General Plan Designations ¹			
	Vehicular ²	Transit ³	Pedestrian ⁴	Bicycle ⁵
Spear Street	-	-	-	-
Main Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	-	-
Beale Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	-	-
Fremont Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street	-
First Street	- Major Arterial in CMP Network - MTS Street	- Transit Preferential Street (Transit Oriented)	- Neighborhood Commercial Street	-
Essex Street	-	-	-	-
Second Street	-	-	- Neighborhood Commercial Street	-

Notes:

- ¹ San Francisco General Plan, Transportation Element. Appendix C includes the definition of the various General Plan designations
- ² Transportation Element, Maps 6-8, pp. I.4.32-34.
- ³ Transportation Element, Map 9, p. I.4.42.
- ⁴ Transportation Element, Maps 11-12, pp. I.4.55-56.
- ⁵ Transportation Element, Map 13, p. I.4.59.

Source: San Francisco General Plan, Transportation Element, Wilbur Smith Associates, February 2002

Howard Street runs between The Embarcadero and South Van Ness Avenue. It is a two-way arterial with two travel lanes in each direction between The Embarcadero and Fremont Street, and a one-way arterial west of Fremont Street with four travel lanes in the westbound direction. In the vicinity of the project site, on-street parking is provided on both sides of the street; however, parking is prohibited along the north curb during the p.m. peak period (4:00 to 6:00 p.m.) to provide an additional traffic lane.

Folsom Street runs between The Embarcadero and Ripley Street (south of Cesar Chavez Street). Folsom Street is a four-lane eastbound one-way arterial from Eleventh Street to Main Street, and a two-way arterial with three eastbound lanes and one westbound lane between Main Street and The Embarcadero. In the vicinity of the project site, Folsom Street has 10-foot-wide sidewalks and both metered and unmetered parking on both sides of the street. Between Spear and Beale Streets, parking is restricted along the south side of the street to provide vanpool parking during the a.m. peak period (6:00 to 9:00 a.m.), and bus stops for Golden Gate Transit are located on the south side of the street.

Harrison Street runs between The Embarcadero and Norwich Street (south of Cesar Chavez Street). Harrison Street operates two-ways between The Embarcadero and Third Street, and one-way westbound between Third and Tenth Streets. In the vicinity of the project site, Harrison Street has two lanes in each direction between The Embarcadero and Spear Street, and one eastbound and three westbound lanes west of Spear Street (to First Street), with 8-foot-wide sidewalks and on-street parking on both sides of the street. Bryant Street and Brannan Street are east-west streets located south of the Bay Bridge; they begin at The Embarcadero and extend to Tenth Street and beyond.

The Embarcadero is a two-way roadway that runs between China Basin and Taylor Street, near Fisherman's Wharf. In general, it has two travel lanes in each direction with a wide center median for the N-Judah and F-Market transit lines.

Spear Street is a north-south roadway that runs from Market to Harrison Streets, and ends in a cul-de-sac south of Harrison Street. Between Market and Harrison Streets, Spear Street is one-way southbound with three travel lanes. South of Harrison Street, Spear Street is two ways. In the vicinity of the project site, Spear Street has 9- to 15-foot-wide sidewalks, with metered and unmetered parking on both sides of the street.

Main Street is a north-south roadway that runs between Market and Bryant Streets. South of Folsom Street, Main Street is two way, with one northbound lane and two southbound lanes. North of Folsom Street, Main Street operates one-way northbound only, with three travel lanes.

In the vicinity of the project site, Main Street has 9- to 15-foot-wide sidewalks; both metered and unrestricted parking are provided on both sides of the street.

Beale Street is a north-south street that runs between Market and Bryant Streets, and ends in a cul-de-sac south of Bryant Street. Beale Street under the I-80/Bay Bridge has been temporarily closed since September of 2001. Between Market and Bryant Streets, Beale Street is one-way southbound; south of Bryant Street, Beale Street is a two-way roadway. Beale Street has no intersection with Harrison Street, but passes under the street. In the vicinity of the project site, Beale Street has three travel lanes, plus 9-foot sidewalks and on-street parking on both sides of the street. On the east side of the street, between Harrison and Folsom Street, 90-degree parking is permitted.

Fremont Street is a north-south arterial that runs between Harrison and Market Streets. Two off-ramps from eastbound I-80 touch down on Fremont Street (at Harrison Street, and mid-block between Howard and Folsom Streets). Between Harrison and Folsom Streets, Fremont Street is two-way and has two travel lanes in each direction. North of Folsom Street, Fremont Street operates one-way northbound only, with two to four travel lanes (including a transit only lane between Mission and Market Streets).

First Street is a north-south arterial between Market and Harrison Streets and provides access to eastbound I-80 and the Bay Bridge. First Street is one-way southbound, with four travel lanes (between Market and Howard Streets, one lane is dedicated for transit vehicles only). Essex Street is a north-south street that runs between Folsom and Harrison Streets, west of Tenth Street, and provides access to an on-ramp to eastbound I-80 (at Harrison Street). Essex Street is two-way, with two southbound travel lanes and one northbound travel lane.

Intersection Operating Conditions

Operating characteristics of intersections are described by the concept of Level of Service (LOS). LOS is a qualitative description of an intersection's performance based on the average delay per vehicle. Intersection levels of service range from LOS A, which indicates free flow or excellent conditions with short delays, to LOS F, which indicates congested or overloaded conditions with extremely long delays. LOS A through D are considered excellent to satisfactory service levels, LOS E is undesirable, and LOS F conditions are unacceptable.

Existing intersection operating conditions were evaluated for the weekday p.m. peak hour (generally between 5:00 and 6:00 p.m.) of the p.m. peak period (4:00 to 6:00 p.m.) for 27 study intersections. Intersection turning movement volumes were counted in July and August 2000.

Table 4, p. 125, presents the existing weekday p.m. peak hour intersection operating conditions. During the weekday p.m. peak hour, 21 of the 27 study intersections currently operate with acceptable conditions (LOS D or better), and six study intersections operate with unacceptable operating conditions (LOS E and F). The six intersections that currently operate at LOS E and F conditions are located on the main approaches to I-80 and the Bay Bridge.

TRANSIT

The project site is well-served by public transit, with both local and regional service provided near the project site. The project site is located within walking distance of the Transbay Terminal and Ferry Building, both major transit connection locations, and three blocks from Market Street where the Market Street subway provides access to MUNI Metro light rail and BART lines. Local service is provided by the San Francisco Municipal Railway (MUNI) bus and light rail lines. MUNI operates eight bus lines and one light rail line in the vicinity of the project site, including several cross-town bus lines that serve the Transbay Terminal. Service to and from the East Bay is provided by BART, AC Transit, and ferries; service to and from the North Bay is provided by Golden Gate Transit buses and ferries; service to and from the Peninsula and South Bay is provided by Caltrain, SamTrans, and BART.

Five of the nine MUNI lines operating in the vicinity have stops within about two blocks of the development site. The MUNI Metro N-Judah light rail line runs north and south on The Embarcadero, with a stop between Folsom and Harrison Streets. The 12-Folsom bus line uses Folsom Street eastbound and Harrison Street westbound in the vicinity of the development project site and uses The Embarcadero north of Harrison Street; this line stops on The Embarcadero at Folsom Street, and on Folsom Street at Main Street. The 41-Union and 1-California trolley buses travel southbound on Beale and northbound on Main Street in the project vicinity. The 1-California stops on Howard Street west of Main Street, and the 41-Union stops on Main Street north of Howard Street. The 41-Union line does not provide mid-day service. The 10-Townsend travels northbound on Fremont Street, stopping at Folsom, Howard and Mission Streets, and southbound on First Street to Howard Street, with a stop between Mission and Howard Streets serving the Transbay Transit Terminal. The 30X-Stockton Express travels northbound on Howard and Main Streets with a stop on Howard Street at Spear Street, and southbound on Beale and Howard Streets with a stop on Howard Street at Main Street; the terminal for this line is at The Embarcadero and Howard Street. The 80X-Gateway Express and 82X-Presidio & Wharves Express provide peak hour, peak direction service to and from Caltrain only; there is a northbound stop on Main Street at Howard Street and a southbound stop on Beale Street. In September 2002 service on these lines will be reduced, with the 80-X line operating only in the morning. Further from the development project site, on Mission and Market Streets,

there are additional MUNI bus and Metro lines as well as stops for all regional bus and rail service. Several Golden Gate Transit bus lines use First Street and Folsom Street, with stops along Folsom Street in front of the project site, during morning and afternoon commute periods.

The availability of MUNI and regional transit service capacity was analyzed in terms of a series of screenlines.² Four screenlines have been established in San Francisco to analyze potential impacts of projects on MUNI service: Northeast, Northwest, Southwest and Southeast, with sub-corridors within each screenline. (See Figure C-1, San Francisco MUNI Screenlines, in Appendix C showing the screenline locations.) Three regional screenlines have been established around San Francisco to analyze potential impacts of projects on the regional transit carriers: East Bay (AC Transit, BART, ferries), North Bay (Golden Gate Transit buses and ferries) and South Bay (BART, Caltrain, SamTrans). The screenline analysis focuses on transit trips in the outbound direction (i.e., trips from greater downtown San Francisco to other parts of the City and the region).

Capacity utilization is used to determine the amount of available space within each screenline; this relates the number of passengers per transit vehicle to the design capacity of the vehicle. MUNI has established a capacity utilization service standard of 100 percent which includes seated and standing capacity, with standees representing somewhere between 30 percent to 80 percent of seated passengers, depending upon the specific transit vehicle configuration. For all regional transit operators, the capacity is based on the number of seated passengers per vehicle. All of the regional transit operators except BART have a one-hour load factor standard of 100 percent, which would indicate that all seats are full. BART has a one-hour load factor standard of 135 percent, which indicates that all seats are full and an additional 35 percent of the seating capacity are standees (i.e., 1.35 passengers per seat).

All MUNI screenlines and sub-corridors are currently operating below the capacity utilization standard and have available capacity to accommodate additional passengers. All regional transit providers operate at less than their load factor standards, which indicates that seats are generally available.

PARKING

Parking conditions were determined for the weekday midday period (1:00 to 3:00 p.m.) and the weekday evening period (6:00 to 9:00 p.m.). There are 19 off-street public parking facilities in

² Screenlines are hypothetical lines that would be crossed by persons traveling between downtown and its vicinity and other parts of San Francisco and the region.

the study area, providing about 3,850 spaces. During the weekday midday period, the parking occupancy at these facilities ranges from 80 percent to 100 percent of capacity, with an overall occupancy of about 92 percent of capacity.

Most of the study parking facilities serve downtown employees and generally close sometime between 6:00 and 8:00 p.m.; however, ten facilities in the study area are open 24 hours a day. Combined, these facilities provide about 1,500 spaces and operate at about 20 percent of capacity during the weekday evening period.

On-street parking is generally provided along each street near the project site. In general, on-street parking within the vicinity of the project site is comprised of metered and unmetered spaces, with 1-hour and 2-hour limits, and some yellow loading spaces. Peak period (generally 7:00 to 9:00 a.m. and 3:00 to 7:00 p.m.) tow-away regulations are in effect along many of the major arterials (such as Mission, Howard and Fremont Streets) in the study area. The on-street parking is well-utilized throughout the day. During the weekday midday period, the parking supply is generally completely occupied. However, during the evening, the occupancy is substantially lower due to the few night-time uses in the area.

PEDESTRIANS

In the vicinity of the project site, pedestrian volumes are relatively light throughout the day—between 50 and 150 pedestrians were counted on each sidewalk during the weekday p.m. peak hour. During field observations, the sidewalks and crosswalks adjacent to the development site were observed to be operating under satisfactory conditions, with pedestrians moving at normal walking speeds and with freedom to bypass other pedestrians. In the vicinity of the project site, the sidewalks on Spear and Folsom Streets are nine feet wide. There is no sidewalk along Main Street adjacent to the development site.

BICYCLES

In the vicinity of the project site, Second Street, Folsom Street, Howard Street and The Embarcadero are designated Citywide Bicycle Routes. These routes are interconnected to the Citywide Bicycle Network and provide access to and from the study area from locations throughout the City. Route #11 runs along Second Street and is Class III (signed route only) between Market and King Streets. Route #30 runs eastbound along Folsom Street and westbound along Howard Street. The bicycle route on Howard Street is Class III, and the route on Folsom Street (between Third Street and The Embarcadero) is Class II (signed route with bicycle lane)

with a 5-foot-wide bicycle lane on the south side of the street. Route #5 runs in both directions along The Embarcadero and is a Class II facility.

During field observations, some bicyclists were observed to be riding in the vicinity of the project site, primarily along The Embarcadero and Folsom Street. During both the weekday midday and evening periods, bicycle conditions were observed to be operating acceptably, with only minor conflicts between bicyclists, pedestrians and vehicles.

IMPACTS

SIGNIFICANCE CRITERIA

The San Francisco Planning Department has established significance criteria to assess transportation impacts associated with a project.

Intersections

In San Francisco, the threshold for a significant adverse impact on traffic has been established as a deterioration in the level of service (LOS) at a signalized intersection from LOS D or better to LOS E or F, or from LOS E to LOS F. For an intersection that operates at LOS E or F in the existing conditions, there may be a significant adverse impact depending upon the magnitude of the project's contribution to the worsening of delay. In addition, a project would have a significant adverse effect if it would cause major traffic hazards, or would contribute considerably to the cumulative traffic increases that would cause the LOS to deteriorate to unacceptable levels (i.e., to LOS E or F).

Transit

The project would have a significant effect on the environment if it would cause a substantial increase in transit demand that could not be accommodated by the available transit capacity, resulting in unacceptable levels of transit service; or cause a substantial increase in operating costs such that significant adverse impacts in transit service levels could result. With the MUNI and regional transit screenlines analyses, the project would have a significant effect on the transit provider if project-related transit trips would cause the capacity utilization standard to be exceeded during the weekday p.m. peak hour.

Parking

Parking supply is not considered to be a part of the permanent physical environment in San Francisco.³ Parking conditions are not static conditions, as parking supply and demand varies from day to night, from day to day, month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. Therefore, parking deficits are considered to be social effects, rather than impacts on the physical environment, as defined by CEQA.

Parking deficits may be associated with secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality or noise effects caused by congestion. However, in the experience of San Francisco transportation planners, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit, taxis, bicycles or walking) and the relatively dense patterns of urban development, may induce drivers to seek and find alternate parking facilities, shift to other modes of travel or change their overall travel habits. Resulting shifts to public transit, in particular, would be in keeping with the City's "transit first" policy.

Additionally, regarding potential secondary effects, autos circling and looking for a parking space in areas of limited parking supply is typically a temporary condition, often offset by a reduction in vehicle trips by others who are aware of constrained parking conditions in an area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the project would likely be minor and difficult to predict.

Thus, a parking shortage is not considered to be a permanent physical condition and is also not considered to be a physical environmental impact even though it is understood to be an inconvenience to drivers. Therefore, the creation of, or an increase in, parking demand that cannot be met by existing or proposed parking facilities would not itself be considered a significant environmental effect under CEQA. In the absence of such physical environmental impacts, CEQA does not require environmental documents to propose mitigation measures solely because a project is expected to generate parking shortfalls.

³ Under California Public Resources Code, Section 21060.5, "environment" can be defined as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise and objects of historic or aesthetic significance."

Pedestrians

The project would have a significant effect on the environment if it would result in substantial overcrowding on public sidewalks, create potentially hazardous conditions for pedestrians, or otherwise interfere with pedestrian accessibility to the site and adjoining areas.

Bicycles

The project would have a significant effect on the environment if it would create potentially hazardous conditions for bicyclists or otherwise substantially interfere with bicycle accessibility to the site and adjoining areas.

Construction

Construction-related impacts generally would not be considered significant due to their temporary and limited duration.

ANALYSIS METHODOLOGY ⁴

Development Project Travel Demand

Person-trip generation for the residential, office and retail land uses was based on rates compiled by the San Francisco Planning Department and published in the *Interim Transportation Impact Analysis Guidelines*, January 2000 (*SF Guidelines*). Since there are different trip generation and parking demand rates for different sizes of residential units, it was assumed that the development project would have 50 percent small units (studios and one-bedrooms) and 50 percent large units (two-bedrooms and larger). The trip distribution, mode split and average vehicle occupancy rates were obtained from the *SF Guidelines* (for Superdistrict 1) and the 1990 U.S. Census journey-to-work data. The number of vehicle trips generated by the proposed development project was determined from the auto person trips and an average vehicle occupancy. Table 3 presents the new person trips and vehicle trips generated by the proposed development project.

⁴ The *Transportation Study* analyzed 860 residential units in the proposed project, as proposed at the time the study was prepared. Following completion of that study, the project was reduced to 820 residential units. Remaining uses, except the amount of parking, are the same as those analyzed in the *Transportation Study*. Thus, the impacts analysis is somewhat conservative in that it assumes 40 more residential units than are now proposed, and presents a slightly greater trip generation and resulting impacts than would occur with 820 units.

Table 3: P.M. Peak Hour Travel by Travel Mode

Land Use	Person-Trips			Vehicle Trips	
	<u>Auto</u>	<u>Transit</u>	<u>Walk/Other¹</u>	<u>Total</u>	
Residential	388	424	489	1,302	228
Office	30	36	11	77	18
Retail	<u>212</u>	<u>115</u>	<u>483</u>	<u>810</u>	<u>93</u>
<i>Totals</i>	<i>630</i>	<i>575</i>	<i>984</i>	<i>2,189</i>	<i>339</i>

Notes:

¹ "Other" mode includes bicycles, motorcycles, and taxis

Source: San Francisco Guidelines; 1990 U.S. Census; Wilbur Smith Associates, January 2002

The development project would generate approximately 17,430 person trips on a weekday daily basis and 2,190 person trips during the p.m. peak hour. Overall, approximately 50 percent of the person trips would travel within San Francisco, with 12 percent to and from the East Bay, 8 percent to and from the South Bay, 5 percent to and from the North Bay and 23 percent outside the region. During the p.m. peak hour, about 30 percent of the person trips would be via auto, 25 percent via transit and 45 percent via walk and other modes. About 340 vehicle trips would be generated by the development project during the weekday p.m. peak hour, of which about 60 percent would be inbound to the development site and 40 percent would be outbound from the development site.

Parking demand generated by the development project was separated into long-term (typically residential and employee parking) and short-term demand (typically visitor and patron parking). The development project would have a residential parking demand of about 1,066 parking spaces, a long-term office/retail parking demand of about 90 spaces and a short-term office/retail parking demand of about 85 spaces. In total, the development project would have a parking demand for about 1,241 spaces.

Delivery/service-vehicle trip generation and demand for loading spaces for the development project were estimated based on the methodology and assumptions provided in the *SF Guidelines*. In total, the development project would generate about 54 daily delivery/service-vehicle trips. The development project would have a demand for about three loading docks during the peak

hour of loading activities. It is anticipated that most of the delivery/service-vehicles that would be generated by the development project would consist of small trucks and vans, with most of the activity occurring between 10:00 a.m. and 1:00 p.m.

EXISTING-PLUS-PROJECT CONDITIONS

Traffic Impacts

The development project would generate about 200 inbound and 140 outbound vehicle trips during the weekday p.m. peak hour. These trips were distributed to the local and regional roadway network based on the origin/destination of each trip (from the trip distribution rates), the street directions and the project driveways. Under Existing-plus Project conditions, as shown in Table 4, 19 of the 27 study intersection would operate at LOS D or better. Six intersections that operate at LOS E or F under existing conditions would continue to operate at these unacceptable levels. The development project would cause two intersections (Fremont and Harrison Streets and Main and Harrison Streets) to worsen from LOS D to E, which would result in significant impacts.

Transit Impacts

The development project would generate about 355 inbound and 220 outbound transit trips during the weekday p.m. peak hour. The outbound transit trips were assigned to the MUNI and regional transit screenlines, based on the destination of each trip and the existing distribution of trips within the screenlines. Under Existing-plus-Project conditions, the four MUNI screenlines and the three regional transit screenlines would continue to operate below their respective capacity utilization and load factor standards. In addition, it was estimated that the new inbound transit trips generated to the development site would not substantially affect transit service in the inbound direction, and the development project would not substantially affect nearby transit service.

Parking

The San Francisco Planning Code, in conjunction with the requested rezoning for the project site, would require the development project to provide 960 parking spaces, including 820 spaces for the residential units, 30 spaces for the office uses and 110 spaces for the retail uses. The development project would meet the parking requirements in the requested rezoning. Existing parking provisions in the Residential subdistrict would require 73 fewer parking spaces for the

Table 4: Intersection Levels of Service (P.M. Peak Hour)

<u>Intersection</u>	<u>Existing</u>			<u>Existing-Plus-Project</u>		
	<u>Delay¹</u>	<u>LOS</u>	<u>v/c¹</u>	<u>Delay¹</u>	<u>LOS</u>	<u>v/c¹</u>
First/Market	25.9	D	--	27.8	D	--
Fremont/Market	15.2	C	--	15.5	C	--
First/Mission	27.1	D	--	28.9	D	--
Fremont/Mission	21.8	C	--	22.1	C	--
Beale/Mission	14.9	B	--	15.1	C	--
First/Howard	31.9	D	--	33.4	D	--
Fremont/Howard	20.1	C	--	21.5	C	--
Beale/Howard	16.2	C	--	16.7	C	--
Second/Folsom	32.5	D	--	34.1	D	--
First/Folsom	>60	F	1.17	>60	F	1.19
Fremont/Folsom	7.7	B	--	8.0	B	--
Beale/Folsom	14.5	B	--	15.0	C	--
Main/Folsom	12.1	B	--	11.9	B	--
Spear/Folsom	11.1	B	--	11.4	B	--
The Embarcadero/Folsom	18.2	C	--	20.9	C	--
Second/Harrison	44.9	E	1.11	49.1	E	1.13
Essex/Harrison	>60	F	1.15	>60	F	1.15
First/Harrison	>60	F	1.26	>60	F	1.28
Fremont/Harrison	37.0	D	--	49.4	E	0.93
Main/Harrison	32.0	D	--	50.1	E	0.83
Spear/Harrison	15.4	C	--	22.3	C	--
The Embarcadero/Harrison	13.8	B	--	16.6	C	--
Second/Bryant	>60	F	1.18	>60	F	1.20
Beale/Bryant ²	11.2	C	--	11.5	C	--
Main/Bryant ²	8.2	B	--	8.0	B	--
The Embarcadero/Bryant	28.0	D	--	29.6	D	--
Second/Bryant	50.0	E	1.21	54.3	E	1.24

Notes:

¹ Delay is presented in seconds per vehicle; v/c is volume to capacity ratio (presented for intersections at LOS E or F).

² Unsignalized intersections: LOS and delay presented for worst approach.

Source: Wilbur Smith Associates, January 2002

retail uses, for a total of 887 spaces; the development project would exceed this requirement. Parking would be provided in a multi-level subsurface parking garage, with driveways on Spear and Main Streets.

During the midday, the short-term and long-term demand generated by the office and retail uses (174 spaces) could not be accommodated within the office/retail parking supply (140 spaces), which would result in a shortfall of about 34 spaces. In addition, the residential units would have a midday parking demand of about 853 spaces (based on 80 percent of the overnight demand of 1,066 spaces). As a result, there would be a residential parking shortfall of between 33 spaces (assuming that the midday reduction in demand is attributed to vehicles parked off-site) and 246 spaces (assuming that the midday reduction in demand is attributed to vehicles parked in the development project's residential parking supply). Overall, the development project would have a midday parking shortfall of between 67 and 280 parking spaces.

Because the development project would displace the existing 290-space parking lot on the development site, it would result in a net parking deficit of between 357 and 570 spaces. As a result, the off-street parking occupancy in the study area would increase from 92 percent to over 100 percent. With parking facilities operating at over 100 percent of capacity, it would be difficult for drivers to find parking within the study area, which may result in drivers parking further away from the project or switching to other modes of travel (such as carpool, transit or bicycle).

During the evening, the development project would have a parking shortfall of 246 spaces for the residential units (the office and retail uses would have a minimal parking demand in the evening and overnight). Since both the existing on-street and off-street parking facilities in the study area currently have availability during the evening hours, the parking shortfall could be accommodated on-street, or through individual arrangements at nearby off-street facilities, and would therefore not affect area-wide parking conditions.

Pedestrian Impacts

Adjacent to the development site, the sidewalk on Spear Street would be 10 feet wide, the sidewalk on Folsom Street would be 10 feet wide and the new sidewalk on Main Street would be 15 feet wide. In addition, the development project would include a mid-block pedestrian walkway through the development site between Spear and Main Streets.

Pedestrian trips generated by the development project would include walk trips to and from the development project land uses, plus walk trips to and from the local and regional transit operators

and walk trips to and from nearby parking facilities. The development project would add about 1,550 pedestrian trips to the surrounding streets during the weekday p.m. peak hour. These trips would be dispersed throughout the study area, depending upon the origin/destination of each trip, with a majority occurring between the development project site and Market Street, the Transbay Terminal area and The Embarcadero.

A pedestrian walkway is proposed through the middle of the development project building, crossing the landscaped central courtyard between Spear and Main Streets. The walkway would provide access to the residential and business lobbies and retail land uses, as well as the building's public open space in the courtyard.

An assessment was performed to estimate the potential effects of the pedestrian trips generated by the development project on the operations of the adjacent sidewalks. The approximately 1,550 weekday p.m. peak hour pedestrian trips would be dispersed to the Spear Street sidewalk (about 650 pedestrian trips), Folsom Street sidewalk (about 1,130 trips) and Main Street sidewalk (about 600 trips) adjacent to the development project site. Using information on proposed sidewalk widths and assumptions about street trees, street lights and other street furniture, these sidewalks could accommodate over 3,000 pedestrians per hour. Based on this information, it was determined that the new pedestrian volumes could be accommodated on the adjacent sidewalks and would not substantially affect pedestrian conditions.

Bicycle Impacts

The San Francisco Planning Code would require 38 bicycle parking spaces (since the uses would be primarily residential, the development would not be required to provide shower and locker facilities). The development project would supply 38 bicycle parking spaces in the parking garage, plus a secure bicycle room for residents on the ground floor, and would therefore meet the requirements.

The development site is within convenient bicycling distance of downtown San Francisco and the Financial District, plus major transit centers; therefore, a portion of the "other" trips generated by the development project would be bicycle trips. In addition, there are several bicycle routes in the vicinity of the development site. With the current bicycle and vehicular volumes on the adjacent streets, bicycle travel generally occurs without major impedances or safety problems. Although the development project would result in an increase in the number of vehicles in the vicinity of the site, the increase would not be substantial enough to affect bicycle circulation. The development project would not create any new curb cuts or driveways on Folsom Street that could affect operations of the bicycle lane.

Loading

The San Francisco Planning Code would require the development project to provide five off-street loading spaces—four of the spaces would be for the residential units and one for the retail uses (the office uses would not require any off-street loading spaces). Since the development project would provide a loading bay with five loading spaces, it would meet the loading requirements. Each space would be 35 feet long by 12 feet wide, with a vertical clearance of 14 feet, which would meet the Planning Code requirements. Since the development project would have a peak demand for about three loading docks, the proposed supply would be sufficient to accommodate the demand.

Access to the loading bay would be from Spear Street, immediately south of the entrance to the parking garage. The loading bay would provide a loading dock (approximately 25 feet deep), with access to the freight elevators located within each of the residential lobbies. These elevators would provide access to all residential floors. In addition, interior corridors would be provided between the loading bay and each office and retail space.

The driveway to the loading bay would be about 14 feet wide and 60 feet long, which would provide for one-way travel only. Since there would not be sufficient width to pass in the driveway, inbound vehicles would need to wait on Spear Street for outbound vehicles to exit, or outbound vehicles would need to wait in their dock for inbound vehicles to enter. To reduce the potential for conflicts and delays, the project sponsor would install mirrors and signal lights at both ends of the driveway. In addition, the development project would have a loading dock manager to direct trucks and schedule deliveries and garbage pick-ups.

For passenger loading/unloading, porte cocheres would be established adjacent to the lobbies of each residential tower, on Spear Street and Main Street. Both porte cocheres would operate one-way and would provide a travel lane and a parking lane with space for about four vehicles to actively load/unload passengers. In addition, it is anticipated that taxis would use these porte cocheres to pick-up and drop-off passengers.

Construction Impacts

Construction of the development project is scheduled to take approximately 36 to 48 months, to be initiated in the spring of 2003 and be completed in 2006 or 2007. Construction-related activities would typically occur Monday through Friday, between 6:00 a.m. and 6:00 p.m. Construction activities on weekends would only occur on an as-needed basis.

Construction staging would occur primarily within the site and from the adjacent sidewalks on Spear, Main and Folsom Streets. The three sidewalks along the development project frontage would be closed throughout the construction duration, and temporary pedestrian walkways would be constructed in the adjacent parking lanes.

No regular traffic lanes would need to be closed and no MUNI bus stops would need to be relocated during construction. However, the Golden Gate Transit bus stops, currently located along the entire Folsom Street frontage, would need to be relocated. The project sponsor and construction contractors would need to coordinate with the San Francisco Department of Parking and Traffic (DPT) and Golden Gate Transit to determine acceptable replacement stop locations.

Throughout the construction period, there would be a flow of construction-related trucks into and out of the development site. It is anticipated that a majority of construction-related truck traffic would use I-80/U.S. 101 and I-280 to access the development project site from the East Bay and South Bay. There would be an average of five construction trucks per day, with a maximum of 20 trucks per day during the excavation phase. The impact of construction truck traffic would be a temporary lessening of the capacities of local streets due to the slower movement and larger turning radii of trucks, which may affect both traffic and transit operations.

There would be an average of 60 and a maximum of 100 construction workers per day at the development site. The trip distribution and mode split of construction workers are not known. However, the addition of the worker-related vehicle or transit trips would not substantially affect transportation conditions, as any impacts on local intersections or the transit network would be similar to, or less than, those described above for the development project, once it is built and occupied. Construction worker vehicles could be accommodated in the nearby parking facilities without substantially affecting area-wide parking conditions. The development project would be able to provide parking at the development site after the completion of the parking garage (approximately 12 months into the construction schedule).

Construction schedules of both the 300 Spear Street development project and the proposed 201 Folsom Street would be occurring in approximately the same time frame. Therefore, construction truck traffic and construction worker vehicles could double with both development projects during some phases. As with the 300 Spear Street development project alone, these construction transportation effects would be temporary and would not cause significant long-term environmental effects.

Construction of the 300 Spear Street development project and the proposed 201 Folsom Street would overlap with the seismic retrofit of the Bay Bridge and its approaches. The retrofit work will be performed in five phases, two of which would be relevant to the proposed project:

- Western Span of Bay Bridge - 1998 to about 2002 for pier and anchorage, 2001 to 2003 for towers and superstructure
- West Approach to Bay Bridge - 2000 to 2008

Work on the Western Span of the Bay Bridge is currently underway. The portion of the work on the anchorage and pier will be completed by 2002, and would therefore not affect construction of the 300 Spear Street development project and the proposed 201 Folsom Street. Work on the West Approach phase of the Bay Bridge seismic retrofit project would affect access and parking for the 300 Spear Street development project during both construction and operation. Demolition will require closure of the First Street and Essex Street on-ramps for 8 to 10 consecutive weekends in 2002 (Friday night to Monday morning), and the closure of the First Street, Essex Street and Sterling Street on-ramps for 8 to 10 consecutive weekends in 2004. These ramp closures will be scheduled to minimize the impact on morning and evening peak commute traffic.

For staging and construction of temporary roadway structures, approximately 4,000 parking spaces will be closed throughout the entire Bay Bridge West Approach project construction duration. These spaces will be located between Harrison and Bryant Streets from Fifth Street to Beale Street, and surrounding the Transbay Terminal. Within the parking study area, it is anticipated that about 435 off-street parking spaces would be temporarily closed. With the loss in parking at these lots, the existing off-street parking supply would operate at over 100 percent of capacity during this temporary construction period.

FULL DEVELOPMENT POTENTIAL WITH REQUESTED REZONING

The project includes a request to rezone most of the P (Public) District to RC-4 (Residential-Commercial Combined: High Density) with a new Residential/Commercial subdistrict in the Rincon Hill Special Use District. The 300 Spear Street development project proposes the maximum amount of development that would be reasonably likely under the requested rezoning. However, the proposal for the 201 Folsom Street parcel, across Main Street in the P District, does not include the maximum amount of commercial space that would be allowed under the requested rezoning. Therefore, an additional analysis was conducted to determine the effects of the full

development potential under the requested rezoning.⁵ The 201 Folsom Street development project, as proposed, would generate about 175 inbound and 90 outbound vehicle trips, and about 465 transit trips (320 inbound and 145 outbound) in the p.m. peak hour. Full development on the 201 Folsom Street site would include an additional 130,000 gsf of office space in the base building, with about 85 additional parking spaces to serve the office space.⁶

Full buildout on the two development sites under the requested rezoning would generate about 45 more outbound vehicle trips from the additional commercial development at 201 Folsom Street than the total trips from the 300 Spear Street development project and the proposed 201 Folsom Street. The full buildout scenario would result in significant impacts at three intersections: the intersection of Second and Brannan Streets would worsen from LOS E to LOS F; and Fremont and Harrison Streets, and Main and Harrison Streets would worsen from LOS D to LOS F. The full buildout scenario would contribute to existing delays at six intersections that already operate at LOS E or F during the weekday p.m. peak hour. This contribution was determined not to be significant because the numbers of additional vehicles in these intersections from development on the rezoned sites would be small and/or would contribute to non-critical movements within an intersection (such as less-constrained right turns). The remaining 18 study intersections would continue to operate at acceptable LOS D or better.

About 95 additional transit riders would be generated from the additional office space in the 201 Folsom Street development project under the full buildout scenario with the requested rezoning. These additional transit riders, added to those generated by the proposed development projects in the rezoning area, would not substantially increase the weekday p.m. peak hour capacity utilization at the four MUNI screenlines analyzed or on regional transit carriers. Thus, full buildout in the rezoning area would not cause transit services to exceed service standards.

The increase in commercial space under the full buildout scenario would increase the parking deficit by about 60 spaces during the midday peak parking period. Full buildout would result in a parking deficit of about 460 to 890 parking spaces during the midday period, depending on the numbers of residents in both buildings who found parking in nearby off-site parking facilities;

⁵ The results of this analysis are presented in detail in the *300 Spear Street/201 Folsom Street Transportation Study*, prepared by Wilbur Smith Associates (January 2002), in "P-Sites Rezoning" subsections.

⁶ The parcel occupied by the telecommunications/utility building at 345 Main Street is also included in the area requested for rezoning. No additional development is analyzed for this site under the Full Development Potential scenario because the site was substantially remodeled to accommodate private telecommunications/utility use in the recent past, and is not expected to be redeveloped for at least the 2020 analysis horizon of the transportation analysis.

this deficit would increase parking occupancy in the study area to over 100 percent of capacity, as described for the proposed 300 Spear Street development project. With parking facilities operating at 100 percent of capacity, it would be difficult for drivers to find parking in the study area. As a result, drivers may park further away or may switch to transit, carpool, bicycle or other forms of travel. Parking deficits are not considered to be significant environmental effects (see p. 121).

Under the full buildout scenario, about 320 to 1,130 pedestrians would be added to sidewalks adjacent to the two development sites during the p.m. peak hour. As the surrounding sidewalks would have capacities of about 3,000 to 6,000 pedestrians per hour, development under the full buildout scenario would not exceed sidewalk capacities. Bicycle trips generated with full buildout under the requested rezoning would not be substantial enough to affect bicycle travel in the area and would not cause major safety problems.

Assuming development projects at 300 Spear Street and 201 Folsom Street provided loading facilities in conformity with the Planning Code, loading demand would be met on both development sites, with no loading shortfall. Construction on both development sites occurring simultaneously is discussed above on p. 129. The additional commercial space on the 201 Folsom Street site would not substantially change construction durations and would not create significant construction impacts.

2020 CUMULATIVE CONDITIONS

Methodology/Approach

The San Francisco County Transportation Authority (SFCTA) countywide travel demand forecasting model (SFCTA Model) was used to develop the travel forecasts for cumulative development and growth through the years 2020 in the region, as well as to determine travel demand to and from the South of Market area (area roughly bounded by The Embarcadero, Market Street, South Van Ness Avenue and King Street). This approach results in a cumulative impacts assessment for year 2020 conditions that takes into account both the future development expected in the South of Market area, and the expected growth in housing and employment for the remainder of San Francisco and the nine-county Bay Area.

The most up-to-date version of the SFCTA countywide model estimates future traffic and transit travel demand for the entire Bay Area region based on land use and employment forecasts prepared by the San Francisco Planning Department for the county, plus regional growth

estimates developed and adopted by the Association of Bay Area Governments (ABAG) in 2000⁷ for the remainder of the region. Since these land use and employment forecasts did not include some of the projects recently proposed in the South of Market area, they were modified by the Planning Department to incorporate projects such as the Rincon Hill Rezoning, the South of Market Redevelopment Area Plan, the Mid-Market Redevelopment Area Plan, and the Transbay Terminal projects, as well as projects that have recently been approved or entitled. As a result, the 2020 cumulative conditions forecasts used in the analysis exceed the ABAG forecasts for San Francisco for employment by about 2.8 percent, and household population by about 1.4 percent.

The SFCTA Model divides the entire Bay Area region into approximately 1,750 geographic areas, known as Transportation Analysis Zones (TAZs); about 800 are within San Francisco. It estimates the future travel demand for each TAZ, determines the origin and destination and mode of travel (auto, transit, walk and bike) for each trip, and assigns those trips to the transportation system (roadway network and transit lines). The SFCTA Model output was used to determine traffic volumes at the study intersections and transit ridership at the MUNI screenlines using an approach and methodology developed with and approved by the San Francisco Planning Department.

To develop 2020 cumulative turning movement volumes at the study intersections, two steps were undertaken using SFCTA Model output: determine the increase in vehicles due to development outside of the study area; and determine the vehicle trips on a block-by-block basis associated with development within the study area. Between 2000 and 2020 Cumulative conditions, weekday p.m. peak hour traffic volumes at the study intersections are anticipated to increase between 15 percent and 70 percent.

Two changes have been identified to the roadways within the study area that would affect local circulation and intersection operating conditions.

- As planned in the *Alternatives to the Replacement of the Embarcadero Freeway and Terminal Separator Structure FEIS/FEIR*,⁸ the Fremont Street off-ramp from westbound I-80 will be modified. The current off-ramp, which touches down on Fremont Street mid-block between Howard and Folsom Streets, will be reconfigured to establish a

● ⁷ Association of Bay Area Governments, *Projections '98*, 1998.

⁸ San Francisco Planning Department, *Alternatives to Replacement of the Embarcadero Freeway and Terminal Separator Structure Final EIS/EIR*, File Nos. 92.202E & 94.060E, State Clearinghouse No. 92083065, certified September 1996.

second leg of the off-ramp that will provide access to eastbound Folsom Street and the Waterfront. The other leg of the off-ramp would continue to provide access to northbound Fremont Street. With the new configuration drivers could divert to Folsom Street or continue under the existing pattern of circulation.

- The intersections of Bryant/Main and Bryant/Beale, which were STOP-controlled when the intersection turning movement counts and analysis were performed, have now been signalized.

Future 2020 MUNI ridership forecasts were developed for weekday p.m. peak hour conditions from SFCTA Model output. The increase in weekday p.m. peak hour transit ridership between 2000 and 2020 cumulative conditions was used to develop a growth rate for each screenline, which was then applied to the existing ridership for each subcorridor within the screenline. Ridership at the Northeast Screenline is projected to grow by 21 percent, at the Northwest Screenline by 17 percent, at the Southeast Screenline by 28 percent and at the Southwest Screenline by 13 percent.

Future regional transit forecasts were based on information received from the individual service providers. Between 2000 and 2020, transit ridership at the regional screenlines is projected to grow at the North Bay Screenline by 42 percent, the East Bay Screenline by 72 percent, and the South Bay Screenline by 233 percent (due primarily to extension of BART to the San Francisco Airport and Millbrae).

The major transit improvements identified to occur by 2020 that would affect transit service in San Francisco are the Third Street Light Rail Project and the BART extension to the San Francisco Airport and Millbrae.

Cumulative Traffic Impacts

Table 5 presents the 2020 cumulative weekday p.m. peak hour intersection operating conditions. Overall, 16 of the 27 study intersections would operate at LOS E or F under 2020 cumulative conditions (compared to six intersections under Existing conditions and eight intersections under Existing-plus-Project conditions). In general, the poor operating conditions would occur along the primary access routes to the Bay Bridge, including Second, First and Harrison Streets. In addition, there would be poor operating conditions along Howard Street due to the high volume of traffic leaving the Rincon Hill area traveling west.

Table 5: 2020 Cumulative Intersection Levels of Service (P.M. Peak Hour)

<u>Intersection</u>	<u>Existing</u>			<u>2020 Cumulative</u>		
	<u>Delay¹</u>	<u>LOS</u>	<u>v/c¹</u>	<u>Delay¹</u>	<u>LOS</u>	<u>v/c¹</u>
First/Market	25.9	D	--	>60	F	1.17
Fremont/Market	15.2	C	--	34.4	D	--
First/Mission	27.1	D	--	>60	F	1.22
Fremont/Mission	21.8	C	--	30.5	D	--
Beale/Mission	14.9	B	--	33.0	D	--
First/Howard	31.9	D	--	>60	F	1.24
Fremont/Howard	20.1	C	--	42.4	E	1.24
Beale/Howard	16.2	C	--	>60	F	1.21
Second/Folsom	32.5	D	--	>60	F	1.24
First/Folsom	>60	F	1.17	>60	F	1.24
Fremont/Folsom	7.7	B	--	26.8	D	--
Beale/Folsom	14.5	B	--	15.8	C	--
Main/Folsom	12.1	B	--	34.1	D	--
Spear/Folsom	11.1	B	--	16.5	C	--
The Embarcadero/Folsom	18.2	C	--	47.5	E	0.95
Second/Harrison	44.9	E	1.11	>60	F	1.32
Essex/Harrison	>60	F	1.15	>60	F	1.19
First/Harrison	>60	F	1.26	>60	F	1.33
Fremont/Harrison	37.0	D	--	>60	F	0.98
Main/Harrison	32.0	D	--	>60	F	0.95
Spear/Harrison	15.4	C	--	37.0	D	--
The Embarcadero/Harrison	13.8	B	--	28.0	D	--
Second/Bryant	>60	F	1.18	>60	F	1.31
Beale/Bryant ²	11.2	C	--	13.1	B	--
Main/Bryant ²	8.2	B	--	6.8	B	--
The Embarcadero/Bryant	28.0	D	--	>60	F	0.81
Second/Bryant	50.0	E	1.21	>60	F	1.51

Notes:

¹ Delay is presented in seconds per vehicle; v/c is volume to capacity ratio (presented for intersections at LOS E or F).

² Unsignalized intersections: LOS and delay presented for worst approach. These intersections will be signalized before 2020, and are assumed to be signalized for the cumulative analysis.

Source: Wilbur Smith Associates, January 2002

To determine the effect of vehicle trips generated by the development project on cumulative impacts, the project's contribution to cumulative traffic conditions was assessed. Traffic generated by the development project was computed as a percent of total cumulative traffic volumes at intersections that would operate at LOS E or F in 2020, and as a percent of the increase in traffic volumes between existing and 2020 cumulative conditions. (See Table 6.)

The development project's contribution to two of the 16 study intersections that would operate at LOS E or F during the weekday p.m. peak hour would be considered significant under the 2020 cumulative conditions: Fremont/Harrison and Main/Harrison. The development project would add a substantial number of vehicles to some movements which determine the overall level of service conditions, and would contribute about 3.8 percent to 5.5 percent to the total traffic volumes and 18.9 percent to 21.6 percent to traffic growth at these intersections. Therefore, vehicles added to the important movements at these intersections by the development project would represent a considerable contribution to the 2020 cumulative conditions and the development project would have a significant traffic impact at these intersections. At the other 14 study intersections that would operate at LOS E or F during the weekday p.m. peak hour, the project's contribution would either be to movements that would continue to operate satisfactorily or would be small contributions to movements that would not perform satisfactorily. Therefore, the project contribution would not represent a considerable contribution to the 2020 cumulative conditions, and the development project would not have a significant traffic impact at these intersections.

Full development under the requested rezoning would contribute a greater proportion to 2020 cumulative traffic growth than would the 300 Spear Street development project alone. At three intersections that would operate at LOS E or LOS F in the future the contribution by traffic from buildout under the requested rezoning would be considered considerable: at Second and Folsom Streets, Fremont and Harrison Streets, and Main and Harrison Streets. At these locations a substantial number of vehicles would be added to movements that determine the overall level of service, resulting in a significant environmental impact at those locations.

Cumulative Transit Impacts

Under 2020 cumulative conditions, three of the four MUNI screenlines would operate at less than capacity (only the Southeast screenline would operate at capacity). The development project would contribute about 2.5 percent to ridership growth at MUNI's Southeast screenline, and would not have a significant environmental impact on MUNI service. Each regional transit operator would continue to operate at less than their load factor standards, except BART to the

Table 6: Contribution to 2020 Cumulative Traffic Volumes (Intersections at LOS E or F)

<u>Intersection</u>	<u>Development Project</u>		<u>Requested Rezoning</u>	
	<u>Cont. to Total¹</u>	<u>Cont. to Growth²</u>	<u>Cont. to Total¹</u>	<u>Cont. to Growth²</u>
First/Market	0.9%	4.4%	1.6%	7.7%
First/Mission	0.9%	4.7%	1.7%	8.7%
First/Howard	1.0%	3.8%	1.9%	7.3%
Fremont/Howard	0.8%	3.8%	1.6%	7.3%
Beale/Howard	1.0%	4.3%	2.7%	11.2%
Second/Folsom	1.8%	6.7%	3.3%	12.3%
First/Folsom	2.6%	9.5%	4.8%	17.5%
The Embarcadero /Folsom	1.7%	6.4%	2.9%	10.8%
Second/Harrison	1.5%	7.2%	3.0%	14.0%
Essex/Harrison	1.1%	7.6%	2.4%	16.1%
First/Harrison	1.5%	9.0%	3.1%	18.7%
Fremont/Harrison	3.8%	18.9%	7.7%	37.8%
Main/Harrison	5.5%	21.6%	10.7%	41.8%
Second/Bryant	1.2%	6.3%	2.1%	11.4%
The Embarcadero /Bryant	0.9%	4.4%	1.9%	9.3%
Second/Brannan	0.9%	5.0%	1.8%	10.1%

Notes:

1. Contribution of development project traffic to total cumulative traffic volumes.
2. Contribution of development project traffic to growth in cumulative traffic.

Source: Wilbur Smith Associates, January 2002

South Bay;⁹ the development project would contribute less than 1.0 percent to cumulative regional transit ridership, and alone would not substantially affect the peak hour capacity utilization at any regional screenline.

Contribution to transit ridership from full buildout under the requested rezoning in 2020 would contribute up to about 5.5 percent of the expected ridership growth at the Southeast MUNI screenline. This contribution would not be considered to be considerable and would not cause the Southeast screenline to exceed capacity. Full buildout would contribute less than 1.0 percent to ridership on regional carriers and thus would not have a significant environmental impact on regional transit.

● REVISED PROJECT

Transportation impacts that would result with the implementation of the development project analyzed in the Draft EIR are set forth on pp. 110-138. Overall, the weekday daily and p.m. peak hour trip generation would be less than shown in the Draft EIR with the revised development project. There would be about 4,830 fewer daily person trips (about 12,600 for the revised project compared to 17,430), and about 460 fewer p.m. peak hour person trips than with the project analyzed in the Draft EIR.

The revised development project would generate about 270 p.m. peak hour vehicle trips, about 70 fewer than the 339 vehicle trips shown in the Draft EIR. About 35 percent of the p.m. peak hour vehicle trips would be outbound from the project vicinity, compared with about 40 percent with the Draft EIR development project because office space would be eliminated in the revised project, and office uses generate a greater proportion of outbound p.m. peak hour trips than do retail and residential uses. Although there would be fewer outbound vehicle trips in the p.m. peak hour, the reduction would not be sufficient to change the results in the Draft EIR showing that the development project would cause the intersections at Fremont and Harrison Streets and Main and Harrison Streets to worsen from LOS D to LOS E, and that the development project would contribute to significant cumulative impacts at these same intersections. Thus, the revised development project would have the same project-specific and cumulative impacts as those described in the Draft EIR.

⁹ BART staff has indicated that they would be able to lengthen the South Bay trains, if necessary, to accommodate future demand. Currently, two of the four lines have 10-car trains, one line has 9-car trains and one line has 8-car trains. With this change, the load factor would be less than the BART standards.

About 473 p.m. peak hour transit trips would be generated by the revised development project. This is about 100 fewer than the approximately 575 transit trips generated by the development project analyzed in the Draft EIR. The reduction in the number of p.m. peak hour transit trips results from the elimination of office space and reduction in retail space in the revised development project. As with the development project analyzed in the Draft EIR, the revised project would not substantially affect nearby transit service.

The revised development project would have a smaller parking requirement than the development project analyzed in the Draft EIR: the requested rezoning would require 890 parking spaces for the revised project compared with 960 required spaces. Existing provisions in the Rincon Hill Residential Subdistrict would require 842 parking spaces, about 48 fewer than under the requested rezoning. The revised development project would meet the parking provisions in the requested rezoning. The revised development project's parking shortfall would be similar to that identified in the Draft EIR, because the majority of the shortfall arises from displacement of the existing 290 parking spaces and from the residential parking demand, which would not change. As explained in the Draft EIR, the parking shortfall would make it more difficult for motorists to find parking in the two-block-radius parking study area.

The revised development project would generate somewhat less demand for loading docks. The five loading docks proposed would continue to meet the peak loading demand, as noted in the Draft EIR.

The revised requested rezoning would generate somewhat fewer person and vehicle trips under full development with the maximum allowable commercial space than would be generated by full development under the requested rezoning analyzed in the Draft EIR. The reduction in the amount of allowable commercial space, about 156,000 gsf, could reduce traffic impacts, but would not reduce them to less-than-significant levels.

D. AIR QUALITY

SETTING

APPLICABLE REGULATIONS AND PLANS

Ambient Air Quality Standards

The federal Clean Air Act Amendments of 1970 established national ambient air quality standards, and individual states retained the option to adopt more stringent standards and to include other pollution species. California had already established its own air quality standards when federal standards were established, and because of the unique meteorological problems in the state, there is considerable diversity between state and federal standards currently in effect in California, as shown in Table 7.

The ambient air quality standards are intended to protect the public health and welfare, and they incorporate an adequate margin of safety. They are designed to protect those segments of the public most susceptible to respiratory distress, known as sensitive receptors, such as asthmatics, the very young, the elderly, people weak from other illness or disease, or persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollution levels somewhat above the ambient air quality standards before adverse health effects are observed.

AIR QUALITY CONDITIONS

Ambient Air Quality

The Bay Area Air Quality Management District (BAAQMD) operates a regional monitoring network which measures the ambient concentrations of six criteria air pollutants: ozone, carbon monoxide (CO), inhalable particulate matter (PM₁₀), lead, nitrogen dioxide, and sulfur dioxide.

Existing and probable future levels of air quality in the City can be generally inferred from ambient air quality measurements conducted by the BAAQMD at its two San Francisco monitoring stations. The Potrero Hill station at 10 Arkansas Street measures all criteria pollutants, including regional pollution levels (ozone), as well as primary vehicular emission levels near busy roadways (CO). The station at 939 Ellis Street at BAAQMD Headquarters

Table 7: State and Federal Ambient Air Quality Standards

POLLUTANT	AVERAGING TIME	SAAQS ^{1,3}	NAAQS ^{2,3}
Ozone	1 hour	0.09 ppm	0.12 ppm
Carbon Monoxide (CO)	1 hour	20 ppm	35 ppm
	8 hour	9.0 ppm	9 ppm
Nitrogen Dioxide (NO _x)	1 hour	0.25 ppm	NA
	Annual	NA	0.053 ppm
Sulfur Dioxide (SO ₂)	1 hour	0.25 ppm	NA
	24 hour	0.04 ppm	0.14 ppm
	Annual	NA	0.03 ppm
Inhalable Particulate Matter (PM ₁₀)	24 hour	50 µg/m ³	150 µg/m ³
	Annual	30 µg/m ³	50 µg/m ³
Sulfates	24 hour	25 µg/m ³	NA
Lead	30 day	1.5 µg/m ³	NA
	Calendar Quarter	NA	1.5 µg/m ³
Hydrogen Sulfide	1 hour	0.03 ppm	NA
Vinyl Chloride	24 hour	0.010 ppm	NA

Note: Additional NAAQS for ozone (8 hours > 0.08 ppm) and for small diameter particulate matter (24 hours > 65 µg/m³, annual avg. >15 µg/m³) were adopted in 1997 but have not yet been implemented.

¹ SAAQS stands for State Ambient Air Quality Standards (California). SAAQS for ozone, carbon monoxide, sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, and inhalable particulate matter are values that are not to be exceeded. All other state standards shown are values not to be equaled or exceeded.

² NAAQS stands for National Ambient Air Quality Standards. NAAQS, other than ozone and those based on annual averages, are not to be exceeded more than once a year. The ozone standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above the standard is equal to or less than one.

³ ppm = parts per million by volume; µg/m³ = micrograms per cubic meter; NA = Not Applicable

Source: BAAQMD Website, <http://www.baaqmd.gov/tech/am/aqstand.htm> (last updated 12/30/96)

measures only carbon monoxide. Table 8 summarizes six years of published data (1995 to 2000) from these monitoring stations. During this six-year period, there were no violations of the one-hour or eight-hour CO standards at the Arkansas Street and Ellis Street monitoring stations. The state PM₁₀ standard was violated on 14 days out of 364 measurement days between 1995 and 2000. PM₁₀ levels have varied slightly from year to year, ranging from zero to six violations per year of the state PM₁₀ standard within the last six years of reported data. There is no clear-cut

Table 8: San Francisco Ambient Air Quality Monitoring Summary, 1995-2000

POLLUTANT	STANDARD	NUMBER OF DAYS STANDARDS WERE EXCEEDED AND MAXIMUM CONCENTRATION MEASURED					
		1995	1996	1997	1998	1999	2000
Ozone							
1-Hour	> 0.09 ppm	0	0	0	0	0	0
1-Hour	> 0.12 ppm	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)		0.09	0.07	0.07	0.05	0.08	0.06
Carbon Monoxide (Arkansas station)							
1-Hour	> 20. ppm	0	0	0	0	0	0
8-Hour	> 9. ppm	0	0	0	0	0	0
Max. 1-Hour Conc. (ppm)		5	5	5	7	5	6
Max. 8-Hour Conc. (ppm)		4.4	3.9	3.5	4.0	3.7	3.2
Carbon Monoxide (Ellis station)							
1-Hour	> 20. ppm	0	0	0	0	0	-
8-Hour	> 9. ppm	0	0	0	0	0	-
Max. 1-Hour Conc. (ppm)		9	9	8	6	9	-
Max. 8-Hour Conc. (ppm)		5.5	5.6	5.8	3.7	4.6	-
Nitrogen Dioxide							
1-Hour	> 0.25 ppm	0	0	0	0	0	0
Max. 1-Hour Conc.(ppm)		0.09	0.08	0.07	0.08	0.10	0.07
Inhalable Particulates (PM ₁₀)							
24-Hour	> 50 µg/m ³	0/61	2/61	3/61	1/61	6/60	2/60
24-Hour	> 150 µg/m ³	0/61	0/61	0/61	0/61	0/61	0/60
Max. Daily Conc. (µg/m ³)	50	71	81	52	78	63	
Particulate Sulfate							
24-Hour	> 25 µg/m ³	0/61	0/61	0/61	-	-	-
Max. 24-Hr. Conc. (µg/m ³)		10.5	8.3	9.8	-	-	-
Fine Particulates (PM _{2.5})							
24-Hour	> 65 µg/m ³	-	-	-	-	1/11	-
Max. 24-Hr. Conc. (µg/m ³)		-	-	-	-	71	-

Notes: "conc." = concentration; "ppm" = parts per million; "µg/m³" = micrograms per cubic meter; "-" = data not reported.

"X/Y" indicates that standards were exceeded on "X" days out of a total of "Y" days on which measurements were taken that year.

Source: California Air Resources Board, *California Air Quality Data*, 1995-2000. BAAQMD Monitoring Stations, 10 Arkansas Street and 939 Ellis Street.

trend in the PM₁₀ data. Ozone, nitrogen dioxide, and particulate sulfate measurements were within allowable maximum concentrations.¹

Comparison of these data with those from other BAAQMD monitoring stations indicates that San Francisco's air quality is among the least degraded of all developed portions of the Bay Area. Three of San Francisco's four prevailing winds, west, northwest, and west-northwest, blow from the Pacific Ocean, reducing the potential for San Francisco to receive air pollutants from elsewhere in the region.

Data from air quality monitoring in San Francisco show that there have been occasional local exceedances of state PM₁₀ standards, largely due to emissions from within the City. The primary sources of PM₁₀ in San Francisco are construction and demolition activities, combustion of fuels for heating, and vehicle travel over paved roads.² Airborne dust levels measured in San Francisco show occasional violations of the state PM₁₀ (inhalable-sized particles) standards, and maximum PM₁₀ levels have remained relatively unchanged over the six-year period shown in Table 8, above. In general, particulate levels are relatively low near the coast, increase with distance from the coast, and peak in dry, sheltered valleys. The last federal PM₁₀ standard violation occurred in 1990; federal guidelines allow for no more than one violation per year averaged over a three-year period in defining a "non-attainment" area.

Local Air Emissions Sources

Traffic-related emissions occur throughout the area around the development site; most notable are the heavy volumes of traffic along the Bay Bridge connection routes and the Transbay Transit Terminal ramps. Emissions due to traffic congestion dominate the localized air quality in the project vicinity. Since the development site is a surface parking lot, emissions associated with the existing site use are also related to traffic.

Sensitive Receptors

Land uses such as schools, children's day care centers, hospitals, and convalescent homes are considered to be more sensitive than the general public to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality.

¹ CARB (California Air Resources Board), *Air Quality Data Summaries*, 1995-2000.

² BAAQMD (Bay Area Air Quality Management District), *Air Quality Handbook*, 1991 Bay Area Average Emissions by Source Category, Appendix IV, 1993.

- Residential areas are considered more sensitive to air quality conditions than commercial and industrial areas, because people generally spend longer periods of time at their residences, resulting in greater exposure to ambient air quality conditions. Recreational uses are also considered sensitive, due to the greater exposure to ambient air quality conditions, and because the presence of pollution detracts from the recreational experience. In general, office and commercial uses predominate to the north and east, while a mix of residential, retail commercial, and office uses occur to the south and west. There is one child care facility east of the
- development site in Hills Plaza, and one daycare facility one block north of the development site at 220 Spear Street. There are no recreational areas, schools, convalescent homes, or hospitals in the immediate project vicinity.

IMPACTS

SIGNIFICANCE CRITERIA

A project would have a significant effect on the environment with respect to air quality if it would violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The BAAQMD specified the significance criteria as follows:³ (1) the project impact would be considered significant if it caused operation-related emissions equal to or exceeding an established threshold of 80 pounds per day of ROG, NO_x, or PM₁₀, or caused CO concentrations to exceed the ambient standards or more than 550 pounds per day of emissions; (2) the project impacts would also be considered to have a significant contribution to cumulative regional air quality effects if the project impacts exceed these standards. If project air quality impacts would not exceed the BAAQMD thresholds, the project could still contribute to significant cumulative air quality impacts if the project is found to be inconsistent with the local general plan.

METHODOLOGY

Regional emissions caused by traffic associated with the development project were calculated using the methodology recommended by the BAAQMD for calculation of mobile source emissions.⁴ Daily emissions of criteria pollutants from existing and project-related traffic in 2002 and 2020 were estimated based on the URBEMIS7G computer model developed by the California Air Resources Board. URBEMIS assesses the regional impacts of proposed land use development based on daily vehicle trips as estimated by the project's transportation analysis.

³ BAAQMD (Bay Area Air Quality Management District), *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*, 1999.

⁴ BAAQMD (Bay Area Air Quality Management District), *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*, 1999.

The model combines information on trip generation with vehicular emissions data specific to different types of trips in the Bay Area (home-to-work, work-other, etc.) from the EMFAC7G model to create an estimated daily emissions burden.

Localized CO concentrations near congested intersections were analyzed using Caltrans' CALINE4 program and BAAQMD *CEQA Guidelines*. This guidance was used to evaluate "worst-case" air quality conditions at the most heavily-impacted intersections. As recommended by the BAAQMD *CEQA Guidelines*, worst-case conditions were considered by placing receptors in locations that yield maximum exposure and by assuming a stable atmosphere where dispersion of CO in the vicinity of the intersection would be minimal.

DEVELOPMENT PROJECT EFFECTS

Regional Impacts

Regional emissions associated with the proposed development project are presented in Table 9. This table indicates that daily emissions from the development project would not exceed the BAAQMD significance threshold for each of the pollutants analyzed. All emissions would be below the threshold of significance for the year 2002, and would meet all standards with a very wide margin of safety by the 2020 horizon year (based on traffic volumes presented in this EIR). The 2020 results are lower than those shown for 2002 because the mix of vehicles in use in 2020 is assumed to include fewer high-emission, older vehicles. As shown in Table 9, increases in air emissions would have a less-than-significant impact on regional air quality.

Table 9: Regional Emissions From Development Project

SCENARIO	POLLUTANT (POUNDS PER DAY)			
	ROG	NO _x	CO	PM ₁₀
Year 2002 ¹	47	46	211	16
Year 2020	18	29	107	15
BAAQMD Significance Threshold	80	80	550 ²	80

Notes: ROG = reactive organic gases; NO_x = nitrogen oxides; CO = carbon monoxide; PM₁₀ = inhaleable particulates.

¹Uses 2002 emissions factors, thus conservatively assuming the project was completed in 2002.

² Requires a microscale impact analysis, if exceeded.

Source: Orion Environmental Associates 2002

Localized Impacts

In addition to the regional contribution to the total pollution burden, project-related traffic generated by the development project could result in localized “hot spots” or areas with high concentrations of carbon monoxide (CO) emissions around stagnation points such as major intersections and heavily traveled and congested roadways. Traffic from the development project could add more cars as well as cause existing non-project traffic to travel at slower travel speeds, which cause increased pollution.

The BAAQMD recommends that a microscale air quality analysis be performed if any of the following three criteria are met: (1) daily project-related CO emissions are greater than 550 pounds/day; (2) intersection level-of-service operation during critical periods of minimal atmospheric dispersion is D, E or F; or (3) project-related traffic increases on any roadway link of 100 vehicles or more per day cause a 10 percent or greater increase in volume on that link.⁵

A microscale screening analysis was completed for the development project and 2020 cumulative future conditions to determine whether any of the above criteria would be met. Although emissions would not exceed the CO criterion as shown in Table 9, above, intersections would exceed the congested levels of service during critical periods, therefore meeting criterion 2 and requiring a quantitative microscale analysis.

The microscale impact analysis used CO analysis procedures in the BAAQMD CEQA Guidelines.⁶ The microscale analysis estimated hourly microscale CO concentrations for all intersections projected to operate at LOS D, E, or F during the p.m. peak hour under existing or future conditions. The results of the analysis are shown in Table 10. This table indicates that the state and federal one-hour ambient standards for CO are not currently violated during worst-case atmospheric conditions (during wintertime conditions when CO concentrations are typically their greatest during the year) and would not be violated with the addition of the development project. Maximum one-hour microscale CO exposure would be 8 ppm under existing-plus-project conditions, assuming the development project was built and occupied. Such exposure levels would not exceed the most stringent one-hour CO standard of 20 ppm. In addition, since the development project’s maximum one-hour exposure of 8 ppm would not exceed the eight-hour average CO standard of 9 ppm, the eight-hour average emissions would not exceed the eight-hour CO standard. An eight-hour CO analysis is not required since eight-hour average levels would be

⁵ BAAQMD (Bay Area Air Quality Management District), *BAAQMD CEQA Guidelines, Assessing the Air Quality Impacts of Projects and Plans*, 1999.

⁶ BAAQMD, *BAAQMD CEQA Guidelines, “Step-By-Step Procedures for CO Analysis,”* 1999, page 40.

Table 10: Localized Microscale Carbon Monoxide Emissions

INTERSECTION	ONE-HOUR CO CONCENTRATIONS IN PARTS PER MILLION (PPM)		
	EXISTING (2002)	EXISTING + PROJECT	CUMULATIVE (2020) + PROJECT
1. First/Market	6	6	5
2. Fremont/Market	-	-	5
3. First/Mission	7	7	5
4. Fremont/Mission	-	-	5
5. Beale/Mission	-	-	5
6. First/Howard	7	7	5
7. Fremont/Howard	-	-	5
8. Beale/Howard	-	-	5
9. Second/Folsom	7	7	5
10. First/Folsom	7	7	5
11. Fremont/Folsom	-	-	5
12. Beale/Folsom	-	-	-
13. Main/Folsom	-	-	5
14. Spear/Folsom	-	-	-
15. The Embarcadero/Folsom	-	-	6
16. Second/Harrison	7	7	5
17. Essex/Harrison	7	7	6
18. First/Harrison	7	7	5
19. Fremont/Harrison	7	7	5
20. Main/Harrison	7	7	5
21. Spear/Harrison	-	-	5
22. The Embarcadero/Harrison	-	-	6
23. Second/Bryant	7	7	5
24. Beale/Bryant	-	-	-
25. Main/Bryant	-	-	-
26. The Embarcadero/Bryant	8	8	6
27. Second/Brannan	7	7	5
State One-Hour CO Standard	20	20	20
Background Concentrations	5.5	5.5	4.4
included in the above concentrations			

Note: "-" = Intersection operates at LOS C or better.

Source: Orion Environmental Associates 2002

less than hourly maximum levels and hourly maximum levels are already less than the eight-hour average standard. Therefore, development project-related emissions would have a less-than-significant impact on local air quality.

Full Development with Requested Rezoning

Full buildout under the requested rezoning would involve an additional 130,000 gsf of commercial space at 201 Folsom Street, over the amount currently proposed for that location and analyzed in a separate EIR; the proposed development at 300 Spear Street includes the full amount of development allowable under the requested rezoning. Combined emissions from full development on the two sites in the rezoned area would slightly exceed 80 pounds per day for ROG (85 pounds per day) and NO_x (81 pounds per day) if all development were completed and occupied in 2002. Although such exceedances are typically considered significant, the total emissions would drop below the 80-pounds per day threshold by 2003-04 due to improvements in the statewide automobile fleet, attrition of older, high-polluting vehicles, and improved fuel mixtures. Therefore, it is reasonable to conclude that the 80-pounds per day threshold would not be exceeded with full development under the requested rezoning, as construction is not proposed to commence prior to 2003. Therefore, emissions from full buildout under the requested rezoning would have a less-than-significant impact on regional air quality.

Localized CO emissions resulting from full buildout under the requested rezoning would be essentially the same as those shown for the 300 Spear Street project alone. No intersection currently operating at LOS D, E, or F would generate one-hour CO concentrations greater than 8 ppm with full buildout. Thus, the requested rezoning would not create exceedences of the state CO standards and would not cause significant air quality impacts.

Cumulative Impacts

The BAAQMD applies the regional thresholds for ROG, NO_x, and PM₁₀ to the cumulative air quality analysis (see Significance Criteria above). Because the development project would not exceed these thresholds in the future 2020 scenario, as shown in Table 9, and the combined emissions from development at 300 Spear Street and 201 Folsom Street in 2020 would not exceed thresholds, the project would not be considered to contribute incrementally to cumulative regional air quality conditions.

However, as specified in the Significance Criteria, if regional emissions would not exceed the BAAQMD thresholds, cumulative air quality impacts could still result if the project were determined to be inconsistent with the local general plan. Although the requested rezoning would require *General Plan* amendments, these amendments would involve changes to the land use

controls and would not change the types of land uses or the overall density of development in the Rincon Hill Area as a whole (see Section III.A, Land Use, Zoning, and Plan Consistency). The requested rezoning area is in the Residential subdistrict of the *Rincon Hill Land Use Plan* (Map 3 in the *Rincon Hill Area Plan*) that assumes high-density residential development similar to that which is proposed in the new Residential/Commercial subdistrict. The *General Plan* amendments would not increase the amount of commercial space permitted, as the 6:1 residential to commercial space ratio would apply to the new subdistrict.

When traffic from the development project is considered together with traffic increases associated with 2020 cumulative development (due to growth in the South of Market area and the rest of the City and region), cumulative increases in CO emissions would occur at nearby intersections. Table 10 indicates that maximum hourly CO exposures would not exceed state and federal one- and eight-hour ambient standards. Therefore, cumulative emissions would have a less-than-significant contribution to CO levels at study intersections.

● REVISED PROJECT

Air Quality effects that would result from implementation of the development project analyzed in the Draft EIR are set forth on pp. 139-148 and in the Initial Study (Appendix A) on pp. 23-24. The Draft EIR concluded that the development project's effects on air quality would be less than significant. The revised development project's effects on air quality would be slightly reduced because there would be fewer daily vehicle trips. Therefore, it also would not result in significant air quality impacts.

E. SHADOWS AND WIND

SHADOWS

Planning Code Section 295, adopted in 1984 pursuant to voter approval of Proposition K, generally prohibits the issuance of building permits for structures over 40 feet in height that would cause significant new shade on open space under the jurisdiction of, or designated to be acquired by, the Recreation and Park Commission unless the Planning Commission, in consultation with the General Manager of the Recreation and Park Department, determines that the shade would not have a significant impact on the use of such property. The Initial Study (See Appendix A) determined that the development would not have a significant shadow effect under Planning Code Section 295 because it would not shade open spaces under the jurisdiction of the Recreation and Park Department.

For informational purposes, this section describes the development project's shadow effects on nearby publicly owned or controlled open space areas ("public open space") that are not subject to Planning Code 295; on publicly accessible open space areas associated with development on privately-owned land ("publicly accessible open space"); and on sidewalks.

SETTING

Open space in the vicinity of the development site consists of public open space and publicly accessible open space. Figure 31, p. 152, shows the location of open spaces near the development site. Rincon Park, currently under construction, is about one block east of the development site.¹ This three-acre waterfront park is located between Howard and Harrison Streets and between the realigned Embarcadero Roadway and the Herb Caen Way pedestrian promenade along San Francisco Bay. It is under the jurisdiction of the Port of San Francisco and the San Francisco Redevelopment Agency.² The Gap Inc. Headquarters building, at 2 Folsom Street, is

¹ South of Market streets that run northwest to southeast (like Spear Street) are commonly considered to run "north" to "south." Streets running northeast to southwest (like Folsom Street) are commonly considered to run "east" to "west." In the interest of simplification, this report employs that convention.

² Rincon Park is on land leased by the San Francisco Redevelopment Agency from the Port of San Francisco. It is being privately developed as part of the Gap, Inc. Headquarters project and will be maintained by the Redevelopment Agency. The south end of the park will accommodate a restaurant to be built under the auspices of the port.

immediately to the northeast of the development site. The publicly accessible open space at this site consists of a landscaped plaza on its north side.³ The 221 Main Street building is in the block immediately north of the development site. The publicly accessible open space at this site consists of a widened portion of sidewalk along Main Street with plantings and seating, and a pedestrian walkway connecting Main and Spear Streets. The Hills Plaza complex is immediately to the east of the development site, across Spear Street. The publicly accessible open space at Hills Plaza consists of a raised, arcaded, landscaped plaza running through the block. The development site is currently vacant and, therefore, casts no shadow.

IMPACTS

Project Shadows at Selected Times

The analysis includes shadow cast on public open space, publicly accessible open space, and sidewalks in the area of potential impact. Shadow patterns for the development project are shown for representative times of the day during the first day of each of the four seasons: the winter solstice, when the sun is at its lowest; the summer solstice, when the sun is at its highest; and during the spring and fall equinoxes, when the sun is at its midpoint. The times selected for analysis include 10:00 a.m., 12:00 p.m. and 3:00 p.m.⁴ Figures 31-34 depict shadow impacts at a “snap shot” moment in the range throughout the year.

Shadows created by existing buildings and structures are shown in light grey. The maximum extent of the proposed development project’s shadow, as though there were no existing intervening buildings is outlined by a heavy black line. Within this outline, the areas that would not otherwise be shadowed but for the development project (“net new shadow”) are depicted in dark grey.

The proposal for the adjacent block to the west, 201 Folsom Street, is representative of development on that site under the requested rezoning. It is also considered in this analysis. When its shadow overlaps with the development project’s shadow, their cumulative shadow is discussed. The maximum extent of 201 Folsom Street building’s shadow, as though there were no existing intervening buildings, is outlined by a fine grey line in the Figures.

³ The Gap Headquarters building also has a landscaped roof terrace; it is accessible only to building occupants.

⁴ Pacific Standard Time (PST) in March and December, and Pacific Daylight Time (PDT) in June and September.

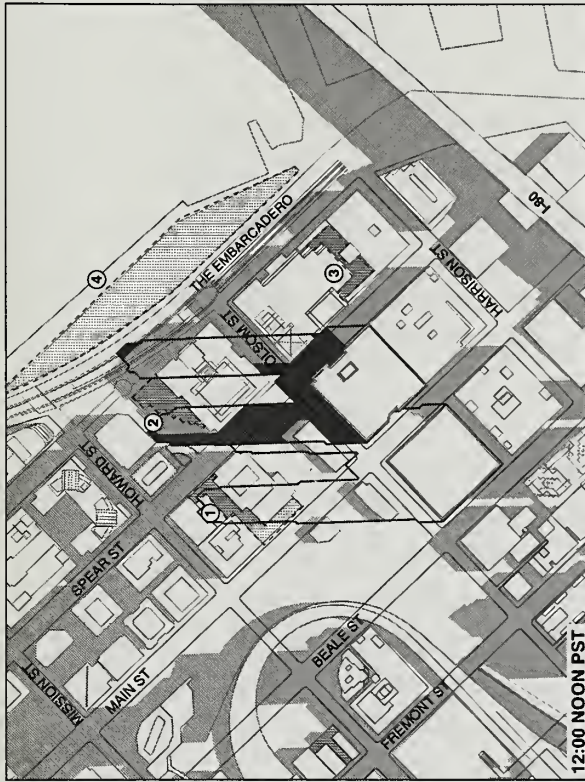
December 21:

At 10:00 a.m. on December 21, (see Figure 31: Shadow Patterns on December 21) the development project would create net new shadow on the following sidewalk areas: on about 300 feet of the sidewalks on Folsom Street, adjacent to and across the street from the development site; on approximately 400 feet of the west-side sidewalk on Spear Street, adjacent to and north of the development site; and on about 500 feet of the east-side sidewalk on Spear Street, north of the development site.

At noon, the development project would create net new shadow on the following sidewalk areas: on approximately 400 feet of the south-side sidewalk on Folsom Street, adjacent to and east of the development site; on about 350 feet of the north-side sidewalk on Folsom Street, adjacent to and east development of the site; on approximately 450 feet of the west-side sidewalk on Spear Street, adjacent to and north of the development site; and on about 400 feet of the east-side sidewalk on Spear Street, across the street and north of the development site. The shadow created by the proposed 201 Folsom Street building would overlap with that of the development project and would extend the shadow on the Folsom Street sidewalks westward, by approximately 350 feet, and would extend the shadow on the west-side sidewalk of Spear Street northward, by about 20 feet.

At 3:00 p.m., the two towers of the development project would create net new shadow on the following areas of public open space in Rincon Park: on a band running across the width of the park approximately 30 feet from north to south; and on a wedge-shaped area about 100 feet from north to south, along the eastern edge of the park. The shadows created by the proposed 201 Folsom Street building would overlap with those of the development project and would extend the net new shadows on Rincon Park northward by approximately 30 feet and 10 feet, respectively. Other portions of the park would be shaded by Hills Plaza, the Gap Inc. Headquarters and other nearby buildings.

At 3:00 p.m., the development project would also create net new shadow on the following sidewalk areas: on about 400 feet of the south-side sidewalk on Folsom Street, adjacent to and east of the development site; on approximately 300 feet of the sidewalks on Spear Street, adjacent to and across the street from the development site; and on about 30 feet of the sidewalks on The Embarcadero at Folsom Street. The shadow created by the proposed 201 Folsom Street building would overlap with that of the development project and would extend the shadow on the south-side sidewalk on Folsom Street, northward to the north-side sidewalk on Folsom Street.



SOURCE: CADP and Turnstone Consulting

300 SPEAR STREET

2000, 1000E

FIGURE 31: SHADOW PATTERNS ON DECEMBER 21
(10 a.m., Noon, 3 p.m. PST)

March 21:

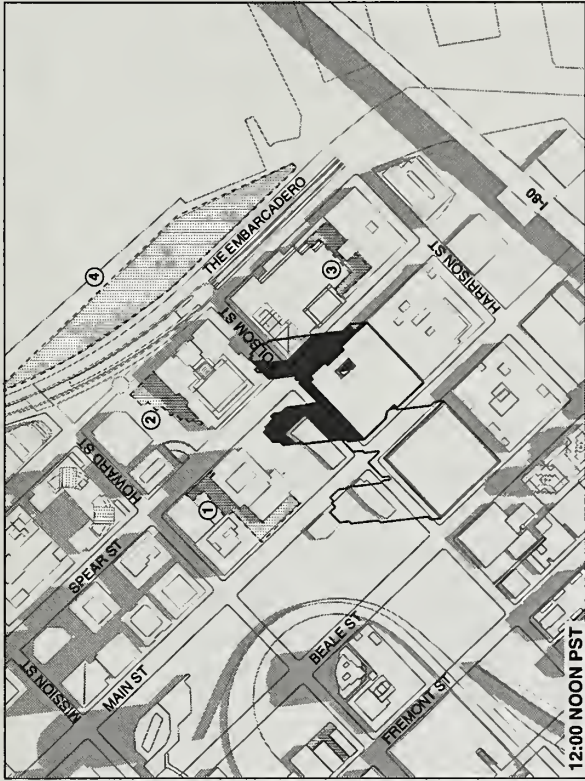
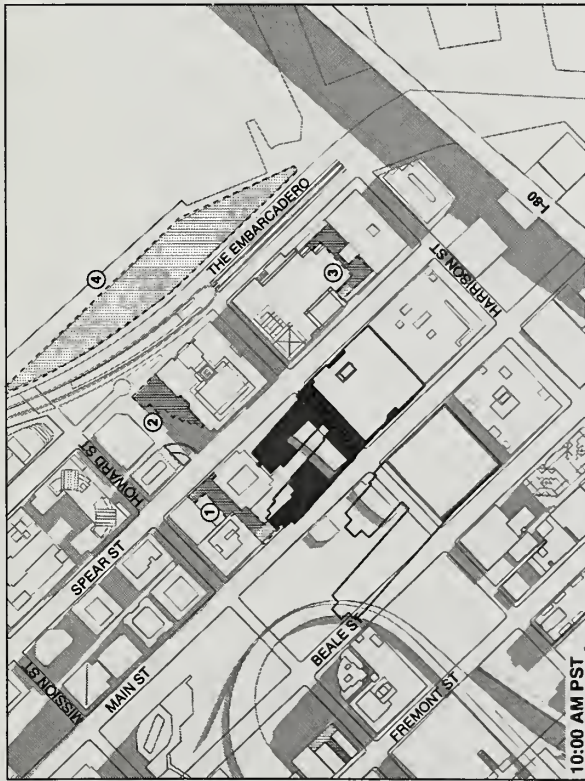
At 10:00 a.m. on March 21, (see Figure 32: Shadow Patterns on March 21), the development project would create net new shadow on the publicly accessible open space of 221 Main Street, on the southernmost portion of the widened sidewalk, approximately 75 feet long. The development project would also create net new shadow on the following sidewalk areas: on about 275 feet of the sidewalks on Folsom Street, adjacent to and across from the development site; and on approximately 300 feet of the east-side sidewalk on Main Street, north of the development site.

At noon, the development project would create net new shadow on the following sidewalk areas: on about 400 feet of the south-side sidewalk on Folsom Street, adjacent to and east of the development site; and on approximately 225 feet of the north-side sidewalk on Folsom Street, across from the development site; on about 300 feet of the west-side sidewalk on Spear Street, adjacent to the development site; and on approximately 200 feet of the east-side sidewalk on Spear Street, across from and north of the development site. The shadow created by the proposed 201 Folsom Street building would overlap that of the development project and would extend the shadow on the sidewalks on Folsom Street westward by about 400 feet.

At 3:00 p.m., the development project would create net new shadow on public open space in Rincon Park at the western edge of the park along The Embarcadero. The development would also create net new shadow on the following sidewalk areas: on approximately 300 feet of the sidewalks on Spear Street, adjacent to and across the street from the development site; and on about 75 feet of The Embarcadero's east-side sidewalk. The shadow created by the proposed 201 Folsom Street building would overlap that of the development project and would extend the shadow on the sidewalks on Spear Street southward by approximately 60 feet.

June 21:

At 10:00 a.m. on June 21, (see Figure 33: Shadow Patterns on June 21) the development project would create net new shadow on the following sidewalk areas: on about 350 feet of the south-side sidewalk on Folsom Street, adjacent to and west of the development site; on approximately 200 feet of the north-side sidewalk on Folsom Street, across the street and west of the development site; on about 400 feet of the east-side sidewalk on Main Street, adjacent to and north of the development site; and on 200 feet of the west-side sidewalk on Main Street, north of the development site. The shadow created by the proposed 201 Folsom Street building would



MARCH 21

- EXISTING SHADOWS
- NET NEW DEVELOPMENT SHADOWS
- PROPOSED DEVELOPMENT SHADOW BOUNDARY
- SHADOW BOUNDARY OF PROPOSED 201 FOLSOM STREET
- PUBLIC AND PUBLICLY ACCESSIBLE OPEN SPACE

NEARBY OPEN SPACE

- ① 221 MAIN STREET
- ② GAP INC.
- ③ HILLS PLAZA
- ④ RINCON PARK



SOURCE: CADD and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 32: SHADOW PATTERNS ON MARCH 21
(10 a.m., Noon, 3 p.m. PST)

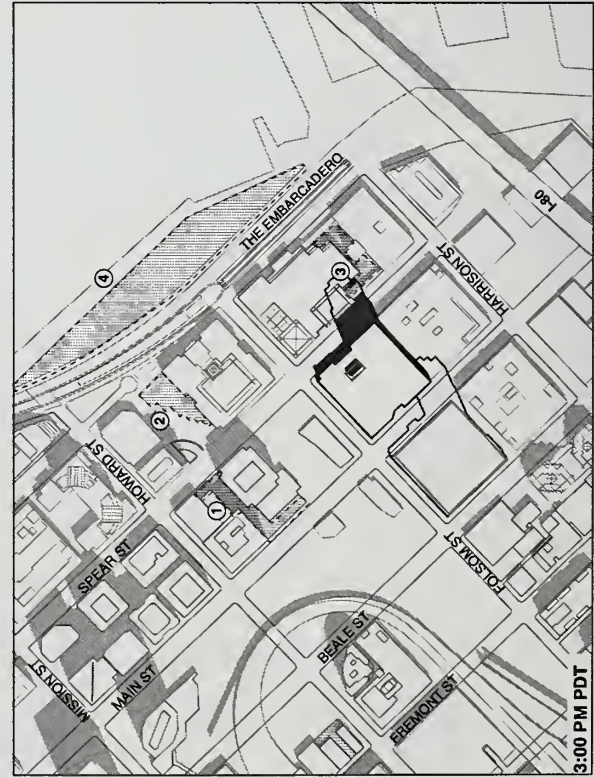
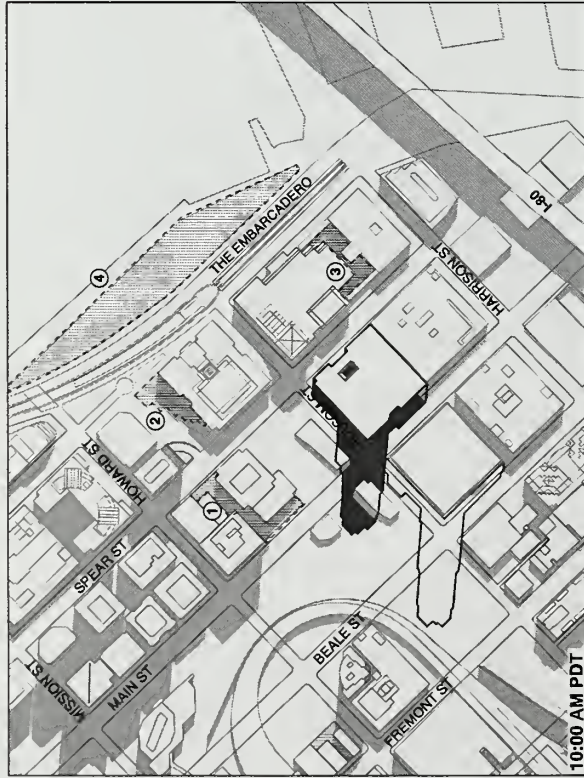
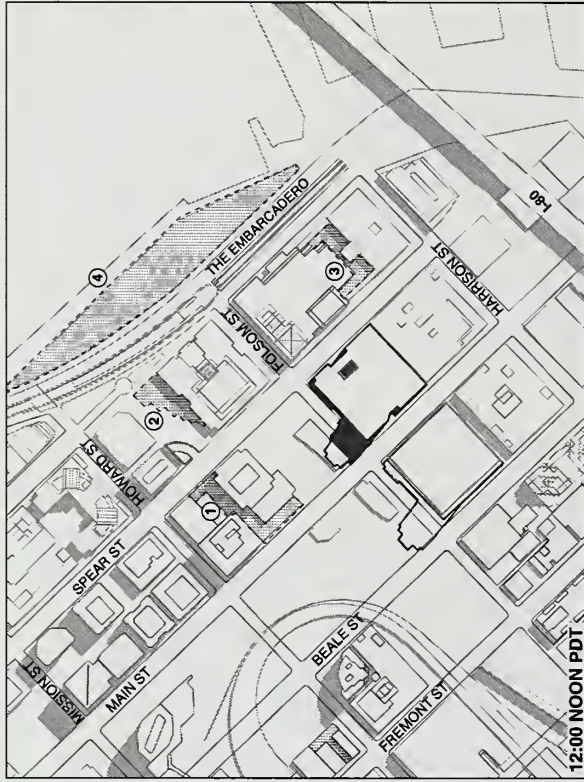


FIGURE 33: SHADOW PATTERNS ON JUNE 21
(10 a.m., Noon, 3 p.m. PDT)

SOURCE: CADP and Turnstone Consulting

300 SPEAR STREET

2000.1090E

slightly overlap that of the proposed development and would extend the shadow on the sidewalks on Folsom Street westward, by approximately 350 feet.

At noon, the development project would create net new shadow on the following sidewalk areas: on about 300 feet of the south-side sidewalk on Folsom Street, adjacent to the development site; on approximately 120 feet of the north-side sidewalk on Folsom Street, across the street from the western portion of the development site; and on about 100 feet of the east-side sidewalk of Main Street, north of the development site.

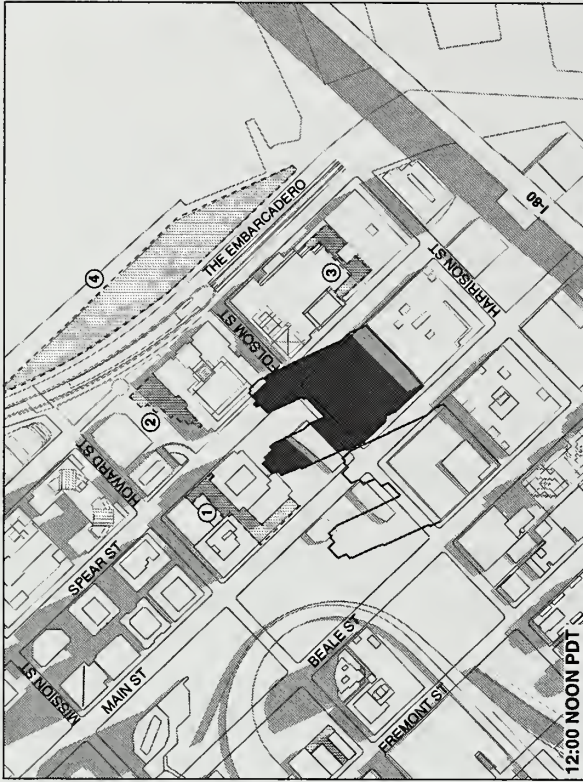
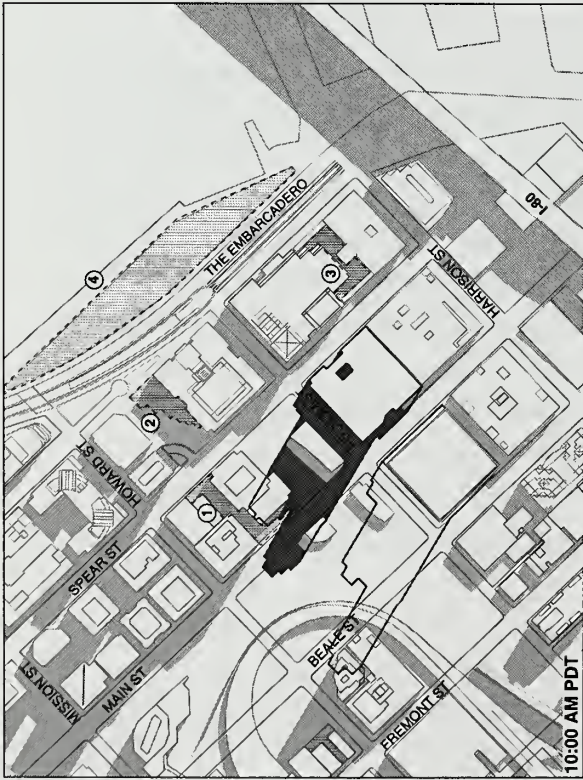
At 3:00 p.m., the development project would create net new shadow on the northwest corner of the publicly accessible open space at Hills Plaza, on an area that is not already shaded by the arcade that surrounds the plaza. The development would also create net new shadow on the following sidewalk areas: on about 300 feet of the west-side sidewalk on Spear Street, adjacent to the development site; and on approximately 150 feet of the east-side sidewalk on Spear Street across the street from the southern portion of the development site.

September 21:

At 10:00 a.m. on September 21, (see Figure 34: Shadow Patterns on September 21) the development project would create net new shadow on the following sidewalk areas: on about 300 feet of the sidewalks on Folsom Street, adjacent to and across the street from the development site; on approximately 500 feet of the east-side sidewalk on Main Street, adjacent to and north of the development site; and on about 350 feet of the west-side sidewalk on Main Street, north of the development site.

At noon, the development project would create net new shadow on the following sidewalk areas: on approximately 350 feet of the south-side sidewalk on Folsom Street, adjacent to and east of the development site; on about 250 feet of the north-side sidewalk on Folsom Street, across the street and east of the development site; on approximately 300 feet of the west-side sidewalk on Spear Street, adjacent to and north of the development site; and on about 150 feet of the east-side sidewalk on Spear Street, across the street and north of the development site. The shadow created by the proposed 201 Folsom Street building would nearly overlap that of the development project and would extend the shadow on the sidewalks on Folsom Street westward by approximately 350 feet.

At 3:00 p.m., the development project would not create net new shadow on the publicly accessible open space at Hills Plaza. The development would create net new shadow on the

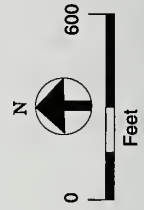


SEPTEMBER 21

- EXISTING SHADOWS
- NET NEW DEVELOPMENT SHADOWS
- PROPOSED DEVELOPMENT SHADOW BOUNDARY
- SHADOW BOUNDARY OF PROPOSED 201 FOLSOM STREET
- PUBLIC AND PUBLICLY ACCESSIBLE OPEN SPACE

NEARBY OPEN SPACE

- ① 221 MAIN STREET
- ② GAP INC.
- ③ HILLS PLAZA
- ④ RINCON PARK



SOURCE: CADD and Turnstone Consulting

300 SPEAR STREET

2000.1090E

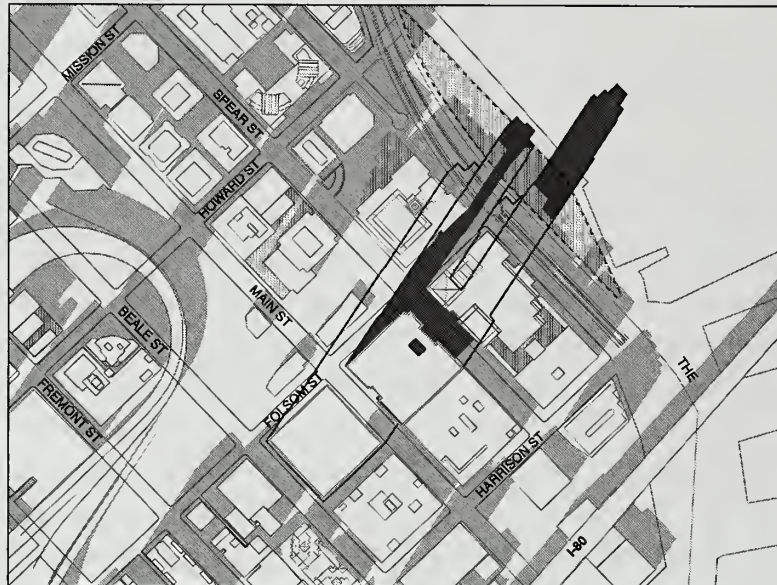
FIGURE 34: SHADOW PATTERNS ON SEPTEMBER 21
(10 a.m., Noon, 3 p.m. PDT)

following sidewalk areas: on about 300 feet of the south-side sidewalk on Folsom Street, adjacent to and east of the development site; and on approximately 300 feet of the sidewalks on Spear Street, adjacent to and across the street from the development site.

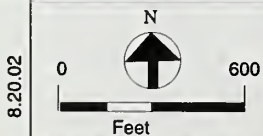
Project Shadows on Open Space

The development project would not create net new shadow on any public open spaces subject to Planning Code Section 295. The development project would create net new shadow on portions of public open space at Rincon Park that are not already shaded by the intervening Gap Inc. Headquarters building and the Hills Plaza building. Shadow from the proposed development would reach Rincon Park in the late afternoon hours in early September. The area and duration of shadow would gradually increase in the afternoon hours starting from late September, and into the months of October and November, as shadows lengthen and sweep clockwise. The development project would cast the most shadow in the month of December, specifically on December 6 at 2:15 p.m. (See Figure 35: Maximum New Shadow on Rincon Park, December 6th (2:15 p.m. PST). The amount of net new shadow cast by the development project would gradually decrease beginning in January through March. No shadow from the development project would reach Rincon Park during the months of April through August.

The development project would not create net new shadow on the publicly accessible open space at the Gap Inc. Headquarters; it is already shaded by that building. The development project would create net new shadow on publicly accessible open space at 221 Main Street in the morning, around the spring and fall equinoxes. It would also create net new shadow at the publicly accessible open space at Hills Plaza. Around the summer solstice in the late afternoon, as shadows lengthen and sweep clockwise, the development project would create net new shadow on the western portion of Hills Plaza on areas that are not already shaded by the Hills Plaza building and its perimeter arcade.



- EXISTING SHADOWS
- NET NEW DEVELOPMENT SHADOWS
- PROPOSED DEVELOPMENT SHADOW BOUNDARY
- SHADOW BOUNDARY OF PROPOSED 201 FOLSOM STREET
- RINCON PARK OPEN SPACE



SOURCE: CADP and Turnstone Consulting

300 SPEAR STREET

2000.1090E

**FIGURE 35: MAXIMUM NEW SHADOW ON RINCON PARK,
DECEMBER 6 (2:15p.m.PST)**

● **Revised Project**

The Initial Study determined that the development project would not have a significant shadow effect under Planning Code Section 295 because it would not shade open spaces under the jurisdiction of the Recreation and Park Department (see Appendix A, p. 25). Similar to the Draft EIR project, the revised project would not shade any public open spaces under the jurisdiction of the Recreation and Park Department. Therefore, the shadow impact of the revised development project would also be considered less than significant.

For informational purposes, the Draft EIR discussed the development project's shadow effects on nearby publicly owned or controlled open space areas ("public open space") that are not subject to Planning Code 295; on publicly accessible open space areas associated with development on privately-owned land ("publicly accessible open space"); and on sidewalks (see pp. 149-158 of the EIR).

The Draft EIR noted that the project cast shadows on local sidewalks. It would shade portions of Rincon Park in the afternoon hours during the months of September through March, and it would also shadow the western portion of publicly accessible open space at Hills Plaza in the late afternoon around the summer solstice. As with the project evaluated in the Draft EIR, the shadow impacts of the revised development project are determined to be less than significant.

WIND

SETTING

U.S. Weather Bureau and Bay Area Air Quality Management District data shows that westerly to northwesterly winds, reflecting the persistence of sea breezes, are the most frequent wind

directions in San Francisco.^{5,6} Wind direction is most variable in the winter, when strong southerly winds, frequent during an approach of a winter storm, occur. Predictions of wind speed are based upon historic wind records from the U.S. Weather Bureau weather station from 1945 to 1950. Four directions occur most frequently and account for most of the strongest winds: northwest; west-northwest; west; and west-southwest. Calm conditions occur about 2 percent of the time. Average wind speeds are highest during summer and lowest during winter. The strongest peak winds occur during winter, when speeds of up to 47 miles per hour (mph) have been recorded.⁷ Typically the highest wind speeds occur during the mid-afternoon hours, and the lowest occur during early morning hours.

Pedestrian Comfort Criteria

Wind conditions affect pedestrian comfort on sidewalks and in other public areas. The comfort of pedestrians varies under different conditions of sun exposure, temperature, clothing, and wind speed. Winds up to four miles per hour have no noticeable effect on pedestrian comfort. With winds from four to eight miles per hour, wind is felt on the face. Winds from 8 to 13 miles per hour disturb hair, cause clothing to flap, and extend a light flag mounted on a pole. Winds from 19 to 26 miles per hour are felt on the body. With winds from 26 to 34 miles per hour, umbrellas are used with difficulty, hair is blown straight, walking steadily is difficult, and wind noise is unpleasant. Winds more than 34 miles per hour make it difficult to maintain one's balance, and gusts can blow a person over.

High-rise buildings can redirect wind flows around buildings and divert winds downward to street level, resulting in increased wind speed and turbulence. To provide a comfortable wind environment for pedestrians, the City established wind criteria for the Rincon Hill Special Use District within Section 249.1(b)(3) of the Planning Code. The comfort criteria are based on pedestrian-level wind speeds that include the effects of turbulence. These adjusted wind speeds are referred to as "equivalent wind speeds." Section 249.1(b)(3) of the Planning Code establishes

⁵ Note that this introductory paragraph uses the cardinal points of the compass when referring to wind direction, rather than the convention employed generally by this report whereby directions are oriented to the South of Market Street grid.

⁶ Information for this section comes from the *Wind Tunnel Analysis for the 300 Spear Street Project, San Francisco*, January, 2002 prepared by Donald Ballanti, Certified Consulting Meteorologist. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and is available for public review by appointment as part of the project file.

⁷ E. Jan Null, *Climate of San Francisco*, NOAA Technical Memorandum, NWS WR-126, February 1978.

an equivalent wind speed of 7 mph in public sitting areas and 11 mph in areas of substantial pedestrian use, known as comfort criteria. New buildings and additions to buildings may not cause ground-level winds to exceed these levels more than 10 percent of the time. According to the Planning Code, if existing wind speeds exceed the comfort level or when a proposed building or addition may cause ambient speed to exceed the criteria, new buildings and additions must be designed to reduce ambient wind speeds to meet these requirements, unless certain requirements are met for an allowable exception as described in Section 249.1(b)(3). Compliance with the Section would be considered as part of the project review process. In administering Section 249.1(b)(3), the Planning Department requires a microclimate analysis, including wind tunnel testing for tall buildings, to determine design-specific impacts on pedestrian comfort and to provide a basis for design modifications to mitigate any significant impacts. This EIR reviews wind impacts of the proposed project against the Planning Code's pedestrian comfort and sitting area comfort criteria, and the hazard criterion that is discussed below.

As described below under Impacts, the 11 mph pedestrian use comfort criterion is currently exceeded at 7 of the 44 wind speed measurement locations for existing pedestrian-level conditions.

Wind Hazard Criteria

In addition to Rincon Hill Special Use District comfort criteria, the Planning Code establishes a wind hazard criterion. The hazard criterion is set at an hourly averaged wind speed of 26 mph, which is not to be exceeded more than once during the year. No building or addition would be permitted that would cause wind speeds to exceed the hazard level of more than one hour of any year. No exception may be granted to this criterion. The hazard criterion is not exceeded under existing conditions at any of the velocity measurement locations.

IMPACTS

Significance Criteria

A project that would exceed the comfort standards would not be considered to have a significant impact. A project that would cause equivalent wind speeds to reach or exceed 26 mph for a single full hour of the year would be considered to have a significant impact.

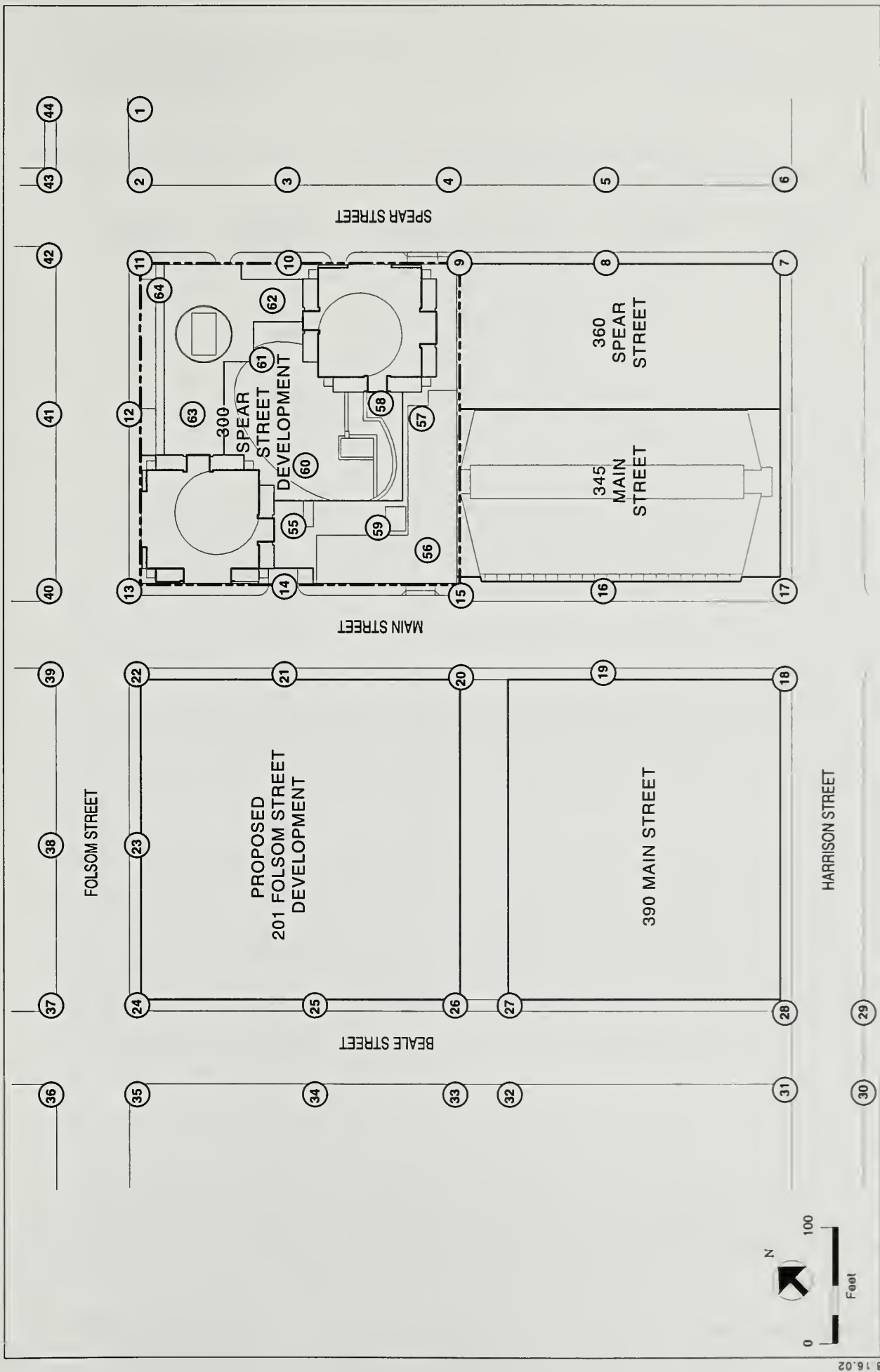
Methodology

Wind tunnel tests were conducted for the project site and vicinity under several scenarios, including the setting under existing conditions; conditions with the proposed development; conditions with the proposed development and the adjacent proposal at 201 Folsom Street analyzed as representative of the requested rezoning project (denoted rezoning project); and the setting plus the 300 Spear Street and the 201 Folsom Street Initial Study designs with conceptual buildings within the proposed Transbay Redevelopment Project Area located northwest of the project site across Folsom Street (denoted Transbay Cumulative). The wind tunnel analysis report with a full discussion of methodology and results is included in Appendix D: Wind Tunnel Analysis.⁸

Using a wind tunnel and a scale model of the project site and surrounding area, wind speed measurements were taken at 44 pedestrian-level locations for all scenarios. None of the 44 test locations corresponds to representative potential sitting locations; all test locations are considered pedestrian use areas rather than sitting areas. An additional ten rooftop locations were tested under the various scenarios.⁹ Of the ten rooftop and courtyard test locations, eight correspond to representative potential sitting area (points 55-59 and 62-64) and the remaining two test locations (points 60 and 61) are pedestrian use areas. Figure 36: Wind Speed Measurement Locations, shows the locations at which measurements were made. Tables 11 and 12 show the wind speed measurements taken at each location under existing conditions; proposed development conditions; rezoning project conditions; and Transbay cumulative conditions. Exceedances of standards are shown in the Tables in bold type.

⁸ *Wind Tunnel Analysis for the Proposed 300 Spear Street Project, San Francisco*, wind tunnel tests were conducted for the project site under five scenarios: existing conditions; conditions with the proposed development; conditions with the proposed development the adjacent proposal at 201 Folsom Street (denoted Local Cumulative); existing conditions plus the 300 Spear and 201 Folsom Streets Initial Study designs (denoted Initial Study Cumulative); and Initial Study Cumulative with conceptual buildings within the proposed Transbay Redevelopment Project Area (denoted Transbay Cumulative).

⁹ Interior courtyard and rooftop wind speeds were tested using in the Initial Study design scenarios, but are representative of conditions with the development project. In a May 24, 2002 letter from Donald Ballanti, Certified Consulting Meteorologist, he states that design changes made would not substantially change wind speeds within these areas, so it was not necessary to repeat wind tunnel tests for courtyard and rooftop areas under the current design. A copy of the letter is on file with the San Francisco Planning Department, 1660 Mission Street, and is available for review by appointment as part of the project file.



SOURCE: Donald Ballant, Consulting Meteorologist and Turnstone Consulting

300 SPEAR STREET

2000.1000E

FIGURE 36: WIND SPEED MEASUREMENT LOCATIONS

Table 11: Wind Speed Measurement Locations

Point	Standard	Existing	Proposed Development	Rezoning Project	Transbay Cumulative
1	11	10	13	13	9
2	11	7	13	13	9
3	11	7	15	16	10
4	11	12	14	15	5
5	11	11	11	12	4
6	11	9	8	9	6
7	11	8	12	13	6
8	11	5	14	14	6
9	11	11	13	13	6
10	11	8	11	12	6
11	11	6	16	17	6
12	11	7	13	13	6
13	11	11	11	11	7
14	11	11	12	14	5
15	11	8	14	14	4
16	11	16	17	13	4
17	11	12	12	12	3
18	11	8	9	10	3
19	11	6	8	8	3
20	11	9	11	9	5
21	11	11	12	12	7
22	11	9	10	14	7
23	11	11	10	13	8
24	11	13	14	15	11
25	11	9	10	13	12
26	11	8	10	16	11
27	11	10	11	14	10
28	11	10	11	15	10
29	11	11	13	14	10
30	11	10	10	12	9
31	11	10	11	11	6
32	11	9	11	13	9
33	11	9	10	14	9
34	11	7	8	13	10
35	11	14	14	13	11
36	11	12	13	12	14
37	11	12	12	12	12
38	11	5	4	9	4
39	11	5	7	9	9
40	11	9	7	9	7
41	11	3	11	12	5
42	11	6	13	13	9
43	11	11	11	16	13
44	11	8	12	12	4

Source: Donald Ballanti, *Wind Tunnel Analysis for the Proposed 300 Spear Street Project*

Table 12: Interior Courtyard and Rooftop Wind Speed Measurement Locations

Point	Standard	Proposed Development	Rezoning Project	Transbay Cumulative
55	7	8*	8*	3*
56	7	18*	18*	6*
57	7	13*	13*	10*
58	7	4*	4*	3*
59	7	8*	8*	4*
60	11	14*	14*	6*
61	11	8*	8*	4*
62	7	11*	11*	5*
63	7	19*	19*	7*
64	7	17*	17*	5*

*Note: Interior courtyard and roof top wind speeds were measured using the Initial Study design scenario.

Source: Donald Ballanti, *Wind Tunnel Analysis for the Proposed 300 Spear Street Project*

Existing Conditions

The existing conditions included the parking lot on the development site, along with several buildings currently under construction, at 400 Beale Street, and Foundry Square at First and Howard Streets. The 325 Fremont Street and 301 First Street projects, which have been approved but are not yet under construction, are also included in the analysis.

Wind speeds do not exceed the hazard criterion of 26 mph for more than one hour per year under existing conditions. As shown in Table 2 of Appendix D, pp.10-11, wind speeds would range from 3 to 16 mph and would exceed the pedestrian comfort criterion at seven of the 44 velocity measurement locations more than 10 percent of the time using the comfort criterion methodology (points 4, 16, 17, 24, 35, 36, and 37). These are on the east-side sidewalk of Spear Street in front of Hills Plaza; at two locations on the east-side sidewalk of Main Street west of 345 Main Street; and four locations at each of the corners of the intersection of Folsom and Beale Streets. Exceedances of the standards are shown in bold type.

Proposed Development Conditions

The development site is currently a parking lot. The proposed development project would increase wind speeds in comparison to existing wind conditions at 34 locations, leave them unchanged at seven locations, and reduce them in three locations. The 300 Spear Street

development project would result in wind speeds ranging from 4 to 16 mph. With the proposed development project, 21 of the 44 measurement locations would exceed the 11 mph pedestrian use comfort criterion, as compared to seven locations under existing conditions. There are 14 locations (points 1-3, 7-9, 11-12, 14-15, 21, 29, 42, and 44) where the proposed development project would create new areas exceeding the pedestrian use comfort criterion. These areas are primarily west, southwest, east, and southeast of the development site along the sidewalks east and west of Spear Street, along the east-side sidewalk of Main Street, and at the respective corners of the intersection at Folsom and Spear Streets. At the intersection of Beale and Folsom Streets, where the pedestrian use comfort criterion is exceeded under both existing and proposed conditions, wind speeds would remain the same or rise slightly by one mph.

Wind speed increases associated with the development project would be greatest east of the development site at the southeastern corner of Folsom and Spear Streets (between 13 and 15 mph) and south of the development site on the west side of Spear Street adjacent to the 360 Spear Street building (between 12 and 14 mph). The windiest location (point 16) would be on the sidewalk east of Main Street adjacent to 345 Main Street; this test point is also where the greatest wind speeds under existing conditions were measured.

As with existing conditions, winds would not be expected to exceed the 26 mph hazardous wind criterion at any point. Thus, there would be no significant wind impact.

Rezoning Project Conditions

Development of the proposed development project along with the adjacent proposed 201 Folsom Street (the rezoning project) would increase wind speeds in the area in comparison to existing conditions. The resulting wind speeds would range from 8 to 17 mph using the comfort criterion methodology, higher than under existing conditions and higher than those associated with the proposed development alone. With the proposed development and the proposed 201 Folsom Street, 35 of the 44 velocity measurement locations would exceed the 11 mph pedestrian use comfort criterion, as compared to seven under existing conditions and 21 under the proposed 300 Spear Street development conditions.

Measurement locations exceeding the comfort criterion would be added at 14 locations (points 5, 10, 22, 23, 25-28, 30, 32-34, 41, and 43). These are at the entrance of Hills Plaza, on the west-side sidewalk of Spear Street east of the proposed building, along the east-side sidewalk of Beale Street west of 390 Main Street and at the proposed 201 Folsom Street development, along the west-side sidewalk of Beale Street east of Avalon Tower, on the south-side sidewalk of Folsom Street north of the adjacent proposed building at 201 Folsom Street, on the north-side of Folsom

Street north of the proposed development site, and at the northeast corner of the intersection at Folsom and Spear Streets.

As with the existing conditions and proposed development, winds would not be expected to exceed the 26 mph hazardous wind criterion at any point, and no significant wind impact would occur.

Proposed Landscaped Courtyard Open Space

The proposed 300 Spear Street design was modified from the design discussed in the Initial Study (see Appendix A: Initial Study).¹⁰ Eight wind measurements were taken on the podium roof and two were taken in the interior landscaped courtyard locations (55-64) in the Initial Study Cumulative wind tunnel test; these may appropriately be used to characterize project conditions for the proposed private terraces and courtyard open space because the overall massing of the design is sufficiently similar.¹¹ All roof locations would be located on private terraces not accessible to the public. The interior courtyard area is centrally located between the Main Street and Spear Street towers. Wind speeds would range from 4 to 19 mph. In general, wind speeds in these spaces would be above the appropriate pedestrian use and sitting comfort criteria, except for two locations (58 and 61) west and north of the Spear Street tower, respectively, where wind speeds would meet the comfort criteria. Strong winds would be a result of the development project's overall massing and lack of nearby sheltering structures to the north and west. Wind sheltering elements, such as wind-tolerant landscaping, or porous structures like screens, latticework, or perforated metal, could be planted or constructed to reduce wind impacts and improve the usability of outdoor sitting and eating areas.

Transbay Cumulative Conditions

A wind test was conducted using both the 300 Spear Street and 201 Folsom Street Initial Study designs and adding conceptual designs for future buildings that may be constructed under the proposed Transbay Redevelopment Project Area immediately across Folsom Street. None of these buildings have been approved. The findings are included here for informational purposes.

¹⁰ The design was modified to mitigate hazardous wind conditions generated by the previous design in combination with the design reviewed in the Initial Study for the adjacent proposed 201 Folsom Street. Wind speeds at one point on the sidewalk at the southwest corner of the Folsom and Spear Streets intersection (location 11) would have exceeded 26 mph for roughly 1.24 hours over the year.

¹¹ Donald Ballanti, Certified Consulting Meteorologist, *Wind Tunnel Analysis for the Proposed 300 Spear Street Project, San Francisco*, January 2002. p. 1.

Construction of buildings in the proposed Transbay Redevelopment Project Area would greatly reduce exposure of the requested rezoning area from the prevailing wind directions. Wind speeds would range between 3 and 14 mph, the lowest wind speeds out of all five scenarios tested. This reduction is largely independent of the design of the 300 Spear Street building, so it was not necessary to repeat wind tunnel tests with the current development project design.¹²

Conditions tested under the Transbay Cumulative scenario showed that wind speeds would exceed pedestrian use comfort criterion in four of the 44 pedestrian-level locations tested, as compared to seven under existing conditions, 21 under proposed development project conditions, and 35 under the rezoning project conditions. Pedestrian use comfort criterion would exceed 11 mph under the Transbay Cumulative scenario at locations 25, 36, 37, and 43. These are on the east Beale Street sidewalk directly west of the site of the proposed 201 Folsom Street development, at the north corners of the intersection of Folsom and Beale Streets, and at the northeast corner of the intersection of Folsom and Spear Streets.

Pedestrian use and sitting comfort criteria would be met in all but one of the eight rooftop and both of the landscaped courtyard locations tested. In general, roof top and courtyard wind speeds would be reduced in comparison to those tested under the Initial Study Cumulative.

As with the existing conditions, proposed development, and rezoning project, wind speeds would not be expected to exceed the 26 mph hazardous wind criterion at any point, and no significant wind impact would occur.

● Revised Project

The Draft EIR discussed the wind effects of the development project on pp. 158-171, and concluded that the effects would be less than significant, because the project would not cause hazardous wind conditions at the ground level. Changes to existing wind conditions that would result with the implementation of the revised development proposal were briefly assessed by consulting meteorologist Donald Ballanti.¹³ Changes in building design due to the revised development proposal could result in beneficial changes to winds speeds in sidewalk pedestrian areas as well as to cumulative wind conditions with the proposed 201 Folsom Street. The project

¹² Donald Ballanti, Certified Consulting Meteorologist, *Wind Tunnel Analysis for the Proposed 201 Folsom Street Project*, San Francisco, January 2002. pp. 12-13.

¹³ See Donald Ballanti, Certified Consulting Meteorologist, letter to Barbara W. Sahm, Turnstone Consulting, regarding *Wind Impacts of the Proposed 300 Spear Street Current Design*, February 5, 2003.

III. Environmental Setting and Impacts

E. Shadows and Wind

sponsor would have the final landscaping plan for interior pedestrian spaces such as the landscaped courtyard evaluated by a qualified meteorologist, as provided in the Wind Improvement Measure on pp. 179-180 of the EIR, and modified as recommended. The last paragraph of the wind improvement measure would be expanded for the revised project to provide that further wind tunnel tests would be conducted for the courtyard, if deemed necessary by the meteorologist. Pedestrian wind conditions created by the revised development project would be similar to or slightly less than with the project analyzed in the Draft EIR; therefore, impacts would be less than significant.

F. GROWTH INDUCEMENT

Growth inducement under CEQA considers the ways in which the proposed and foreseeable activities by the project could encourage and facilitate other activities that would induce economic or population growth in the surrounding environment, either directly or indirectly.¹

The project includes a request to rezone most of the lots in the P (Public) Use District, bounded by Beale Street, Folsom Street, Harrison Street, and Spear Street, to RC-4 (Residential-Commercial Combined: High Density). Rezoning the project site and adjoining area would allow for private development of residential and commercial mixed uses. Rezoning of the lots would be expected to induce development on the 300 Spear Street site as well as the site of the adjacent parking lot at 201 Folsom Street, potentially increasing population and employment in the area. Rezoning is not expected to induce development at 345 Main Street because considerable sums were spent in the past two years to remodel the building for telecommunications use. The building was upgraded specifically to serve as a telecommunications/data center utility. It includes features that enable it to continue functioning after a major earthquake, with a special foundation, double-redundant electrical and other building systems, and 10 rooftop emergency electrical generators in the new penthouse.

The 300 Spear Street development would replace an existing parking lot with upto 820 residential units in approximately 1,000,000 gsf of space. It would also include about 60,000 gsf of retail uses to provide a variety of amenities for residents and employees on the project site and surrounding area, 50,000 gsf of office space, and about 960 subsurface parking spaces.

Based on employment density factors² of 275 sq. ft. per employee for office use and 350 sq. ft. per employee for retail use, the proposed retail and office use is estimated to employ approximately 355 people. This increase in employment would be about 0.05 percent of total employment projected for San Francisco in year 2020 (731,660 employees), and it would be about 0.35 percent of projected employment growth from 2000-2020 (102,800 jobs). Based on household density factors of 1.35 persons per dwelling unit, the proposed development would be

¹ State CEQA Guidelines, as amended January 1, 2001, Section 15126.2(d).

² City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.7, p. C.5, certified September 17, 1998. Office Affordable Housing Production Program (OAHPP), City and County of San Francisco, *Jobs Housing Nexus Analysis*, Keyser Marston Associates, Inc. and Gabriel Roche, Inc., July 1997, pp. 12-16, 18.

III. Environmental Setting and Impacts

F. Growth Inducement

expected to house approximately 1,110 people.³ The jurisdictional need of the City is 20,372 dwelling units or an average yearly need of 2,716 net new dwelling units.⁴ The proposed development would not create substantial demand for new housing. The proposed 820 residential units would more than offset housing demand from the employment in the development.

Based on full buildout of the rezoning project development, retail and office use could employ approximately 915 people. This increase in employment would be about 0.12 percent of total employment projected for San Francisco in year 2020, and it would be about 0.9 percent of projected employment growth from 2000-2020 (102,800 jobs). The requested rezoning would be expected to house approximately 2,220 people. The requested rezoning would not create substantial demand for new housing and would encourage development of more residential units to help achieve the City's jurisdictional housing need.

It is expected that some workers employed by businesses in the proposed development and in the rezoned area would want to live in San Francisco. In addition, some new jobs would be filled by individuals who already live and work in the City; those who live in the City but who were previously not employed or who worked outside the City; those who live in the surrounding communities; or by those unable to afford to reside in the City. New workers would also increase demand for housing in other parts of the Bay Area. (See Appendix A, Initial Study, pp. 16-18, for further discussion of housing demand issues.)

Direct increases in housing and employment, such as those from the proposed development and growth that would be expected to occur under the requested rezoning, could induce further growth in business and employment to provide a range of goods and services to meet the needs of the residents and employees at 300 Spear Street and within the rezoned area. It would be speculative to quantify this growth, and new development proposals would require their own environmental review. Some of the induced growth would occur locally in San Francisco, particularly in the Rincon Hill Area and Rincon Point-South Beach Redevelopment Area. Some growth could occur elsewhere in the City and in the region. The direct and induced growth of the proposed development and proposed rezoning in San Francisco and the region would not exceed

³ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.6, p. C.6 and p. C.4, certified September 17, 1998. Office Affordable Housing Production Program (OAHPP), City and County of San Francisco, *Jobs Housing Nexus Analysis*, Keyser Marston Associates, Inc. and Gabriel Roche, Inc., July 1997, p. 18.

⁴ In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination (RHND) 1999-2006 allocation.

the growth anticipated in ABAG's regional forecasts of employment, households, and population growth. While the increase in numbers of residents and employees on the development site and elsewhere in the rezoned area would be potentially noticeable to immediately adjacent neighbors, these levels are common and accepted in high-density urban areas such as San Francisco.

Since the development project would not have unusual labor requirements, construction would be expected to meet its need for labor within the regional labor market for construction projects without attracting construction labor from areas beyond the region's borders.

The area proposed to be rezoned is within a developed urban area, and no expansion of municipal infrastructure would be required to serve development there.

IV. MITIGATION MEASURES PROPOSED TO MINIMIZE POTENTIAL ADVERSE IMPACTS OF THE PROJECT

MITIGATION MEASURES

In the course of project planning and design, mitigation measures have been identified that would reduce or eliminate potential environmental impacts of the project. Many of the measures have been included in the development project, others may be required by the City Planning Commission or Board of Supervisors as conditions of project approval, if the project is approved. Measures not included in the development project are listed first, below. The measures included are listed second; they include measures for noise, construction air quality, geology/ topography, water quality, hazards, and archaeological resources. These measures were discussed in the Initial Study (see Appendix A, pp. 45-51). Finally, measures that would reduce less-than-significant impacts are listed in the "Improvement Measures" section. These measures could be included as conditions of approval by decision-makers.

MITIGATION MEASURES THAT COULD BE REQUIRED AS CONDITIONS OF APPROVAL

Transportation

Traffic generated by the proposed development project would result in significant impacts to two nearby intersections. Because operations at these and other intersections near the development site are dictated by the operations at the Bay Bridge and freeway on-ramps, and because existing intersections cannot be widened to increase capacity without demolishing existing occupied buildings, there are no feasible mitigation measures for the intersections of Main and Harrison Streets and Fremont and Harrison Streets. The impacts would be significant and unmitigable.

- Full build-out with the requested rezoning would contribute considerably to 2020 future cumulative conditions and would have a significant impact at three intersections: Main and Harrison Streets, Fremont and Harrison Streets, and Second and Folsom Streets. The development project would contribute considerably to 2020 future cumulative conditions and would have a significant impact at Fremont and Harrison Streets, and Main and Harrison Streets. For the same reasons as discussed above, intersection improvements to mitigate these impacts would be infeasible. To help mitigate the development project's contribution to cumulative impacts, the following mitigation measure may be required by City decision-makers:

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

1. The project sponsor may be requested to contribute to a new Integrated Transportation Management System (ITMS) being implemented by the Department of Parking and Traffic. This program is a citywide real-time electronic transportation management system that is planned to include installation of various intelligent transportation system infrastructure components to improve traffic circulation in the City. The program is planned to monitor and manage traffic by receiving real-time information at a Traffic Management Center via closed-circuit television cameras.

Implementation of the ITMS program will improve overall traffic conditions and reduce traffic congestion in the City, including in the South of Market area where the project is located. By improving overall traffic conditions and reducing traffic congestion, the ITMS would facilitate circulation in the project area and thereby reduce impacts of the development project under 2020 cumulative conditions somewhat. It cannot be said with certainty, however, that implementation of the ITMS program would be sufficient to reduce 2020 cumulative impacts to less-than-significant levels.

MITIGATION MEASURES INCLUDED IN THE PROPOSED PROJECT

Implementation of the following measures would reduce impacts to less-than-significant levels:

Noise

2. It is unlikely that pile driving would be required for this development project; however, should it be necessary to install pile foundations, the project sponsor shall require construction contractors to predrill holes to the maximum depth feasible on the basis of soil conditions. Contractors shall be required to use construction equipment with state-of-the-art noise shielding and muffling devices. The project sponsor shall also require that contractors schedule pile-driving activity for times of the day that shall be consistent with the Noise Ordinance.

Construction Air Quality

3. The project sponsor shall require the contractor(s) to spray the development site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsor shall require the project contractor(s) to maintain and operate construction equipment so as to minimize

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Geology/Topography

4. The project sponsor shall ensure that the construction contractor conducts a pre-construction survey of existing conditions and monitor any adjacent buildings for damage during construction, if recommended by the geotechnical engineer in the foundation investigations.

If dewatering is necessary, the final foundation report shall address the potential settlement and subsidence impacts of this dewatering. Based on this discussion, the foundation report shall determine whether or not a lateral movement and settlement survey shall be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey were recommended, the Department of Building Inspection would require that a Special Inspector (as defined in Article 3 of the San Francisco Building Code) be retained by the project sponsor to perform this monitoring. Instruments shall be used to monitor potential settlement and subsidence. If, in the judgement of the Special Inspector, unacceptable movement were to occur during construction, groundwater recharge shall be used to halt this settlement. The project sponsor shall delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street shall be borne by the project sponsor.

If dewatering were necessary, the project sponsor and its contractor shall follow the geotechnical engineers' recommendations regarding dewatering to avoid settlement of adjacent streets, utilities, and buildings that could potentially occur as a result of dewatering.

The project sponsor and its contractor shall follow the geotechnical engineers' recommendations regarding installation of settlement markers around the perimeter of shoring to monitor any ground movements outside of the shoring itself. Shoring systems shall be modified as necessary in the event that substantial movements are detected.

Water Quality

5. The project sponsor shall ensure that groundwater from development site dewatering and stormwater runoff meets the discharge limitations of the City's Industrial Waste Ordinance by carrying out the following:

If dewatering is necessary, the project sponsor shall follow the recommendations of the geotechnical engineer or environmental remediation consultant, in consultation with the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system.

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

If dewatering is necessary, groundwater pumped from the development site shall be retained in a holding tank to allow suspended particles to settle, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission to reduce the amount of sediment entering the combined sewer system.

The project sponsor shall require the general contractor to install and maintain sediment traps in local storm water intakes during construction to reduce the amount of sediment entering the combined sewer system, if this is found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission.

Hazards

6. In addition to local, state, and federal requirements for handling hazardous materials, the project sponsor shall enter into a voluntary agreement with the San Francisco Department of Public Health to undertake the following work and any additional requirements imposed by the Department of Public Health under the agreement.

Prior to initiating any earth-moving activity at the development site, the project sponsor shall consult with the San Francisco Health Department to determine whether additional soil sampling would be necessary under Public Works Code Article 20 (the Maher Ordinance). Disposal of excavated soils shall comply with existing local, state, and federal regulations. If determined to be necessary, a Site Safety and Health Plan shall be prepared. In addition to measures that protect on-site workers, the Plan shall include measures to minimize public exposure to contaminated soils. Such measures shall include dust control, appropriate site security, restriction of public access, and posting of warning signs, and shall apply from the time of surface disruption through the completion of earthwork construction.

The project sponsor shall provide all reports and plans prepared in accordance with Mitigation Measure 6 to the San Francisco Department of Public Health and any other agencies identified by the Department of Public Health. When all hazardous materials have been removed from the development site, and soil analysis and other activities have been completed, as appropriate, the project sponsor shall submit to the San Francisco Planning Department and the Department of Public Health (and any other agencies identified by the Department of Public Health) a report stating that all hazardous materials have been removed from the development site, and describing the steps taken to comply with this mitigation measure. Any verifying documentation shall be attached to the report. The report shall be certified by a Registered Environmental Assessor or similarly qualified individual.

Archaeological Resources

The following mitigation measure for archaeological resources has been revised and expanded since publication of the Initial Study; the approach to mitigation has not changed, but more

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

detailed procedures have been included. The project sponsor has agreed to carry out the measure as revised.

7. Based on a reasonable presumption that archaeological resources may be present within the development site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed development project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric and urban historical archaeology. The archaeological consultant shall undertake an archaeological testing program as specified herein. In addition, the consultant shall be available to conduct an archaeological monitoring and/or data recovery program if required pursuant to this measure. The archaeological consultant's work shall be conducted in accordance with this measure at the direction of the ERO. All plans and reports to be prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archaeological monitoring and/or data recovery programs required by this measure could suspend project construction activities for up to a maximum of four weeks. At the direction of the ERO, the suspension of project activities can be extended beyond four weeks only if such a suspension is necessary and is the only feasible means to reduce to a less-than-significant level potential effects on a significant archaeological resource as defined in CEQA Guidelines Sec. 15064.5 (a)(c).

Archaeological Testing Program. The archaeological consultant shall prepare and submit to the ERO for review and approval an archaeological testing plan (ATP). The archaeological testing program shall be conducted in accordance with the approved ATP. The ATP shall identify the property types of the expected archaeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and locations recommended for testing. The purpose of the archaeological testing program will be to determine to the extent possible the presence or absence of archaeological resources, to identify any archaeological resources found, and to evaluate the significance of any archaeological resources found as an historical resource.

At the completion of the archaeological testing program, the archaeological consultant shall submit a written report of the findings to the ERO. If based on the archaeological testing program the archaeological consultant determines that significant archaeological resources may be present, the ERO in consultation with the archaeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archaeological testing, archaeological monitoring, and/or an archaeological data recovery program. If the ERO determines that a significant archaeological resource is present and that the resource could be adversely affected by the proposed project, the project sponsor shall have the option to either:

- A) re-design the project so as to avoid any adverse effect on the significant archaeological resource; or
- B) implement a data recovery program.

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

Archaeological Monitoring Program. If the ERO in consultation with the archaeological consultant determines that an archaeological monitoring program shall be implemented the archaeological monitoring program shall minimally include the following provisions:

- The ERO in consultation with the archaeological consultant shall determine what project activities shall be archaeologically monitored. In most cases, any soils-disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archaeological monitoring because of the risk these activities pose to potential archaeological resources and to their depositional context;
- The archaeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archaeological resource;
- The archaeological monitor(s) shall be present on the development project site until the ERO has, in consultation with the project archaeological consultant, determined that project construction activities could have no effects on significant archaeological deposits;
- The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archaeological deposit is encountered, all soils-disturbing activities in the vicinity of the deposit shall cease. The archaeological monitor shall be empowered to temporarily redirect demolition/excavation/pile-driving/construction activities and equipment until the resource is evaluated. If in the case of pile-driving activity (foundation, shoring, etc.), the archaeological monitor has cause to believe that the pile-driving activity may affect an archaeological resource, the pile-driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archaeological consultant shall immediately notify the ERO of the encountered archaeological deposit. The archaeological consultant shall make a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological deposit, and present the findings of this assessment to the ERO.

Whether or not significant archaeological resources were encountered, the archaeological consultant shall submit a written report of the findings of the monitoring program to the ERO.

Archaeological Data Recovery Program. The archaeological data recovery program shall be conducted in accord with an archaeological data recovery plan (ADRP). The archaeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archaeological consultant shall submit the draft ADRP to the ERO. The ADRP shall identify how the proposed data

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

recovery program will preserve the significant information the archaeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes will address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed development project. Destructive data recovery methods shall not be applied to portions of the archaeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archaeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archaeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains and Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils-disturbing development activity shall comply with applicable state and federal laws. This shall include immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archaeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects.

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

Final Archaeological Resources Report. The archaeological consultant shall submit a Draft Final Archaeological Resources Report (FARR) to the ERO evaluating the historical importance of the archaeological resource and describing the archaeological and historical research methods employed in the archaeological testing/monitoring/data recovery program(s). Information that may put at risk any archaeological resource shall be provided in a separate removable insert within the final report.

Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (1 copy) and the President of the Landmarks Preservation Advisory Board (1 copy). The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.

IMPROVEMENT MEASURES

Improvement measures are actions or changes that would reduce effects of the project that were found through the environmental analysis to have less-than-significant impacts. Improvement measures identified in the EIR may be required by decision makers as conditions of project approval.

Parking

Though the shortfall of parking spaces is not determined a significant impact in the EIR, there are improvement measures that could be implemented to reduce this effect. Suggested improvement measures could include one or more of the following: encourage office and retail employees to use alternative means of travel; provide reduced rate of free transit passes; provide on-site transit information, such as schedules, fare guides, and maps, and provide transit maps and directions for transit at the project's web site; coordinate with City CarShare to promote the use of car-sharing by residents; provide separate shower and locker facilities to encourage bicycle use by employees.

Wind

Though there were no significant wind impacts found during the wind study analysis, there are recommendations to improve pedestrian use and sitting area comfort criteria for the development project.

IV. Mitigation Measures Proposed to Minimize Potential Adverse Impacts of the Project

Wind-sheltering elements, such as wind-tolerant landscaping, or porous structures like screens, latticework, or perforated metal, should be planted or constructed on the interior courtyard and private outdoor terraces to reduce wind impacts and improve usability of outdoor sitting and eating areas.

During the final design process a qualified meteorologist should be consulted to reduce ground-level wind speeds as much as possible and produce a report for review by the San Francisco Planning Department that could include suggested wind-reduction mitigation measures to be incorporated into the design prior to the issuance of final building permits.

V. OTHER CEQA CONSIDERATIONS

A. SIGNIFICANT ENVIRONMENTAL EFFECTS THAT CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Section 15126(b) of the state CEQA Guidelines, the purpose of this section is to identify impacts that could not be eliminated or reduced to an insignificant level by mitigation measures included as part of the proposed project, or by other mitigation measures that could be implemented, identified in Chapter IV, Mitigation Measures.

The project includes a request to rezone most of the P (Public) District to RC-4 (Residential-Commercial Combined: High Density) District with a new Residential/Commercial subdistrict in the Rincon Hill Special Use District. Full build-out of the lots included in the requested rezoning would cause one intersection (Second and Brannan Streets) to worsen from LOS E to LOS F; and would cause two intersections (Fremont and Harrison Streets, and Main and Harrison Streets) to worsen from LOS D, under existing conditions to LOS F. These would be unavoidable significant impacts.

The development project, even with mitigation, would have an unavoidable significant effect on transportation. The proposed development project would cause two intersections (Fremont and Harrison Streets, and Main and Harrison Streets) to worsen from Level of Service D to E.

Cumulative effects are by their nature more speculative, because their analysis depends on a prediction of possible future environmental changes well beyond the construction of the proposed project. However, the proposed development project was projected to have a considerable contribution to cumulative traffic increases at two intersections (Fremont and Harrison Streets, and Main and Harrison Streets) that would operate at LOS F under projected 2020 cumulative conditions.

**B. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES
WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT
SHOULD IT BE IMPLEMENTED**

Significant irreversible environmental changes would occur in the area of transportation as discussed above, if the proposed development project were implemented.

The development project would intensify development on the site consistent with development in San Francisco's urban environment. The development project would commit future generations to the same land uses for at least the life of the project. Implementing the development project would result in an irreversible commitment of energy resources, primarily in the form of fossil fuels, including fuel oil, natural gas, and gasoline or diesel fuel for construction equipment and automobiles during construction and ongoing use of the development site. Because the development project would comply with California Code of Regulations Title 24, it would not use energy in a wasteful, inefficient or unnecessary manner (see the discussion of Energy in the Initial Study, Appendix A, pp. 35-36). The consumption or destruction of other non-renewable or slowly renewable resources would also result during demolition, construction, occupancy, and use of the site. These resources include, but are not limited to, lumber, concrete, sand, gravel, asphalt, masonry, metals, and water. The development project would also irreversibly use water and solid waste landfill resources. However, the development project would not involve a large commitment of those resources relative to supply, nor would it consume any of those resources wastefully, inefficiently or unnecessarily.

VI. ALTERNATIVES TO THE PROPOSED PROJECT

This chapter identifies alternatives to the proposed project and discusses the environmental effects associated with the alternatives. City and County of San Francisco decision-makers must consider approval of an alternative if that alternative would substantially lessen or avoid significant environmental impacts identified for the proposed project and that alternative is determined to be feasible. The determination of feasibility will be made by City decision-makers.

The following alternatives are discussed and evaluated in this chapter: No Project; No Traffic Impacts; Existing Height and Bulk; and Reduced Development under Requested Rezoning. Any of the alternatives could be implemented, but would require some of the same approvals as the proposed project, such as rezoning, project authorization for high-density residential development in Rincon Hill, or other requirements.

The project sponsor does not have control of other sites in San Francisco of sufficient size and in a location appropriate to the development as proposed. No alternative sites for the requested rezoning or development project have been identified within the City where the development could be constructed that would meet most of the project sponsor's objectives and where the project's significant environmental impacts would be substantially lessened or avoided.

A. ALTERNATIVE A: NO PROJECT

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require a No Project Alternative be included in EIRs. The purpose of the No Project Alternative is to allow decision-makers to compare the effects of the proposed project with the effects of not approving a project. The No Project Alternative would not rezone the development site and adjacent sites in the P (Public) District nor increase the height limits. Without rezoning, the proposed development could not be approved.

DESCRIPTION

The No Project Alternative would retain the existing 290-space surface parking lot at 300 Spear Street. The development site and the 345 Main Street site on Assessor's Block 3745, Lots 1 and 8, and the 201 Folsom Street site on Assessor's Block 3746, Lot 1 (to the immediate west of the development site), would remain zoned P (Public) with no changes in height limits; therefore, no new residential or commercial development would be constructed on any of these sites. This

alternative reflects existing physical conditions on the project site that are already described in the Project Description and Land Use Setting discussions on pp. 27-29 and 59-64, respectively.

This alternative would not preclude future proposals for development of the site for uses permitted in the P District. Potential uses that could be developed as principal uses in the P District zoning are: (i) structures and uses of governmental agencies not subject to regulation by the Planning Code; and (ii) structures and uses of the City and County of San Francisco and of other governmental agencies subject to regulation by the Planning Code. Potential uses that could be developed with Conditional Use authorization under existing zoning are: (i) institutional uses such as social service, educational and religious uses, and child-care facilities; (ii) community facilities; (iii) open recreational and horticultural uses; (iv) utilities; and (v) temporary uses including those with a 60-day limit such as a neighborhood carnival; an exhibition, celebration or festival; a booth for charitable, patriotic or welfare purposes; and those with a one- or two-year limit such as temporary structures and uses incidental to the construction of buildings on the same or adjacent sites.

IMPACTS

If existing physical conditions at the development site were to continue for the foreseeable future, none of the impacts associated with the project would occur. The environmental characteristics of this alternative would be generally as described in the environmental setting sections of Chapter III. Land use, urban design and visual quality, and shadow and wind conditions would not change. The development site and site of the proposed 201 Folsom Street would continue to be used for parking. Views of the development site from the Bay Bridge and the sidewalk on the east side of the waterfront promenade would not change.

No project-generated traffic would be added to nearby streets. The project would not contribute to cumulative transportation impacts on freeways and freeway ramps and at intersections near the project site. By 2020 without the project, cumulative growth at other locations in and near downtown would create substantial increases in commute travel, causing significant transportation impacts similar to those described in Section III.C, Transportation, but without the increment of the cumulative effect caused by the development or proposed 201 Folsom Street. Other impacts identified for the project would not occur if the No Project Alternative were implemented.

Some of the uses proposed for the development site might be constructed elsewhere in San Francisco, including residential, retail or office uses, if the demand for these uses exists elsewhere in the City. Development of these uses at other sites would result in project-level or cumulative

impacts. The nature and extent of any potential impacts cannot be reliably assessed without the identification of the amounts and sites to be developed. The combination of high-density residential development with retail and office uses proposed in the development project is not likely to be constructed elsewhere in San Francisco, based on limited numbers of relatively large, undeveloped sites in the City that would permit high-density residential buildings.

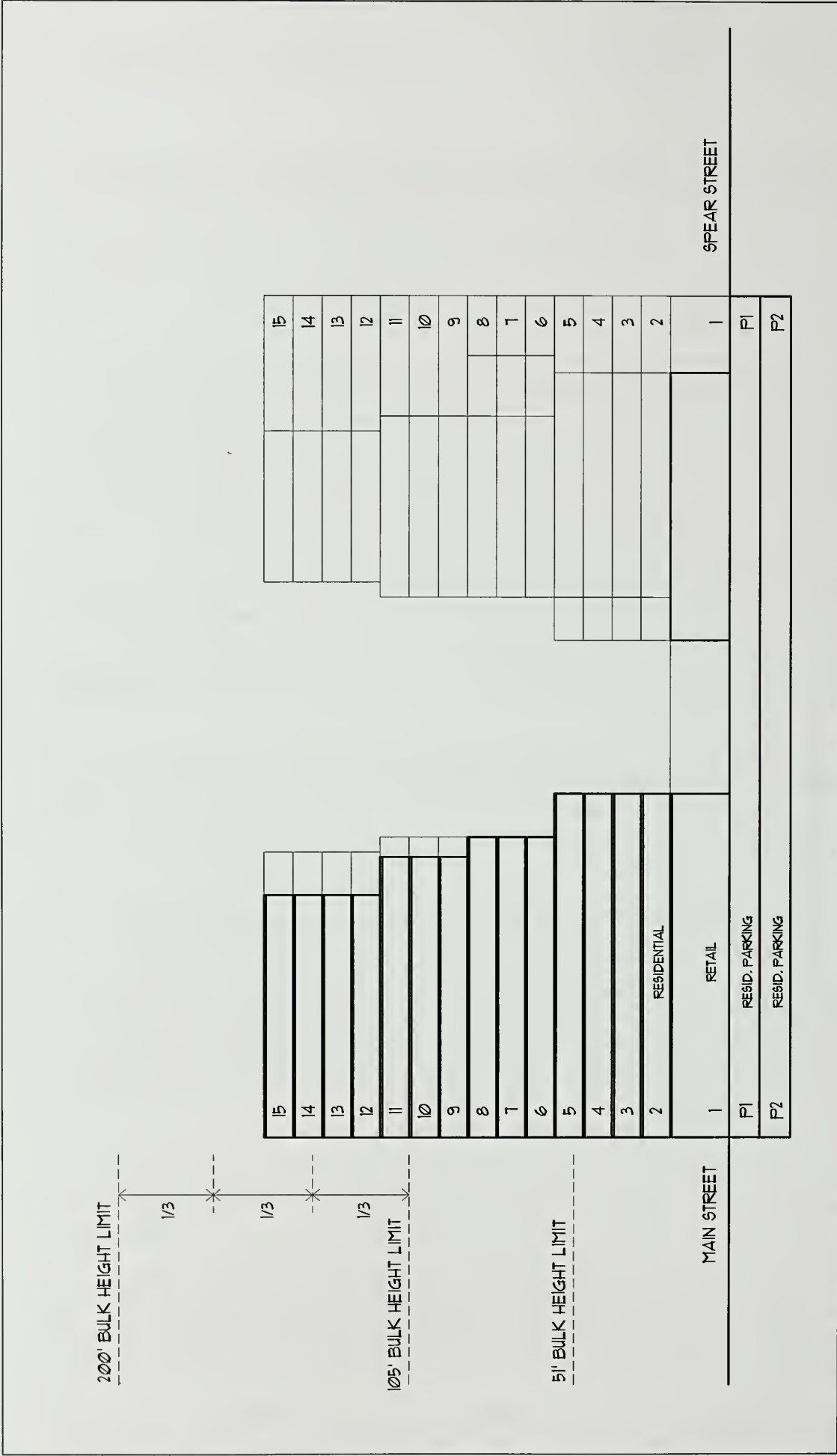
With this alternative, future development of the 300 Spear Street site and the 201 Folsom Street site for uses permitted in the P (Public) District is possible. No such proposal is at hand; therefore any detail about type of use or building, if future development were to occur under the existing zoning, would be speculative. No new housing would be produced. Views would change but the type of change could not be identified until a specific proposal is received. Shadows would be shorter than those from the proposed development, because height limits would remain at 200 and 105 feet. The development could create additional traffic depending on the nature of the proposal; some uses such as utilities generally do not result in large numbers of person trips, but others such as government office buildings could generate more p.m. peak hour person trips and vehicle trips. Air emissions would be proportional to the amount of traffic generated on the development site and proposed 201 Folsom Street site, plus any emissions from diesel generators or other stationary equipment.

B. ALTERNATIVE B: NO TRAFFIC IMPACTS

DESCRIPTION

Alternative B would involve a change in zoning from P to RC-4 on the development site, as requested for the proposed development project, but would not include a change in existing height and bulk limits. The existing Rincon Hill SUD controls would remain in effect, and the project site would remain in the Residential subdistrict. No rezoning of other lots would be requested. This alternative would develop a substantially smaller building on the 300 Spear Street site, including 200 residential units, 35,000 gsf ground-floor retail, and about 260 parking spaces in one subsurface level.

- The development in Alternative B would likely include a one- or two-level base in one or two buildings, and two towers with about 100 residential units in each tower. The building base would include retail space, residential lobbies, three loading docks, and access to the subsurface
- parking level. (See Figure 36a: Alternative B Section.) Alternative B would include about one-half the amount of retail space and none of the office space included in the proposed development project. There would be no dwelling units in the base. The residential towers



SOURCE: HellerManus and Turnstone Consulting

would be substantially shorter than the proposed development project, about 10 to 12 stories above the building base.

IMPACTS

Alternative B would replace the existing parking lot on the site with residential and retail uses. It would have 620 fewer residential units, about half the amount of retail space, no office space, and about 700 fewer parking spaces than would the proposed development. This alternative would include substantially less floor area, and a much smaller building envelope than would the proposed development. Overall, land uses would change in a manner similar to that described for the proposed development, but the change would result in substantially lower density and lower intensity than proposed by the development project.

- This alternative's 10-to 12-story towers above a one-or two-level base would result in substantially different visual and urban design effects. Unlike the proposed development project, this alternative's shorter tower would generally conform to the pattern of heights at this southern periphery of the downtown high-rise urban form when viewed from a distance. When viewed from surrounding streets this alternative would not conform to the five- to eight-story streetwall height established by surrounding buildings. (See Figure C&R-A: Alternative B Views, p. 247.) Without such a streetwall presence Alternative B would have less continuity with nearby buildings than would the proposed development project.

Alternative B would reduce trip generation by more than 50 percent, generating substantially fewer person-trips than the proposed development. About 107 p.m. peak hour vehicle trips would be generated by the uses in this alternative, about 230 fewer than would be generated by the proposed development project. The intersections at Fremont and Harrison Streets and Main and Harrison Streets would continue to operate at LOS D, and would not worsen to LOS E as caused by the proposed development project. There would be no significant contribution to cumulative traffic impacts at these intersections with the No Traffic Impacts Alternative. Thus, Alternative B would eliminate significant traffic impacts caused by the proposed development project. As with the proposed development project, Alternative B would not cause significant impacts to transit systems, pedestrian or bicycle conditions.

Alternative B would not cause significant air quality impacts, the same result as with the proposed development project.

Alternative B would create less shadow on nearby sidewalks and open space than the proposed development. The total length of shadows created by the towers in Alternative B would be

reduced in proportion to their reduction in height. A reduced building base under Alternative B would also create proportionally less shadow on nearby sidewalks, particularly those on Folsom and Spear Streets. Alternative B would create less shadow on nearby open space. In the afternoon, around the winter solstice, a reduced tower height along Spear Street would create some net new shadow on Rincon Park, but somewhat less than with the proposed development. Shadows would not reach the publicly accessible open space at 221 Main Street or Hills Plaza.

Alternative B would be unlikely to cause greater ground-level wind speeds than the proposed development. Winds would be expected to increase over existing conditions, possibly to a lesser extent, as the height of the base building and towers would be reduced from that of the proposed development project.

Residents and employees in Alternative B would generate a demand for goods and services in the vicinity, but in substantially smaller amounts compared with the proposed development and rezoning project. No growth would be induced at the 201 Folsom Street site.

This alternative would be the environmentally superior alternative because it would reduce traffic impacts caused by the proposed development project to less-than-significant levels.

C. ALTERNATIVE C: EXISTING HEIGHT AND BULK CONTROLS

DESCRIPTION

Alternative C would include a change in zoning from P to RC-4 for the development site. The development site would remain in the Residential subdistrict of the Rincon Hill SUD, and the existing height and bulk districts would remain. Rezoning of other lots would not be requested. Shorter towers would be constructed on the development site in conformity with existing height and bulk limits and tower separation requirements. This alternative would include the same land uses as the proposed development at a reduced level. Commercial uses would be provided in proportion to the amount of residential space, as permitted in the Rincon Hill Special Use District, Residential subarea. Accordingly, this alternative would include smaller amounts of commercial space and fewer residential units than the proposed development project. One parking space would be provided for each residential unit, as for the proposed development project, and one space would be provided for each 1,500 sq. ft. of commercial space as permitted in the Residential subdistrict.

Alternative C proposes development on the 300 Spear Street site of approximately 832,500 gsf that would consist of about 385 residential units (approximately 553,950 gsf) and about 43,750

gsf of retail space, with about 415 parking spaces in three levels of underground parking (approximately 226,900 gsf) and four loading spaces on the ground level (approximately 7,900 gsf). (See Figure 37: Alternative C Site Plan.) Two residential towers, identified as the Main Street Tower and the Spear Street Tower, would rise 16 stories above a 50-foot-tall, four-story building base to total heights of 200 feet above the ground level. (See Figure 38: Alternative C Building Section.) The building base would occupy about 80 percent of the development site (a floor plate of about 60,500 sq. ft.) and enclose an interior courtyard of about 8,250 sq. ft. This alternative would contain about 435 fewer units than the proposed development, would have about 16,250 gsf less retail and 60,000 gsf less office space, and about 545 fewer parking spaces.

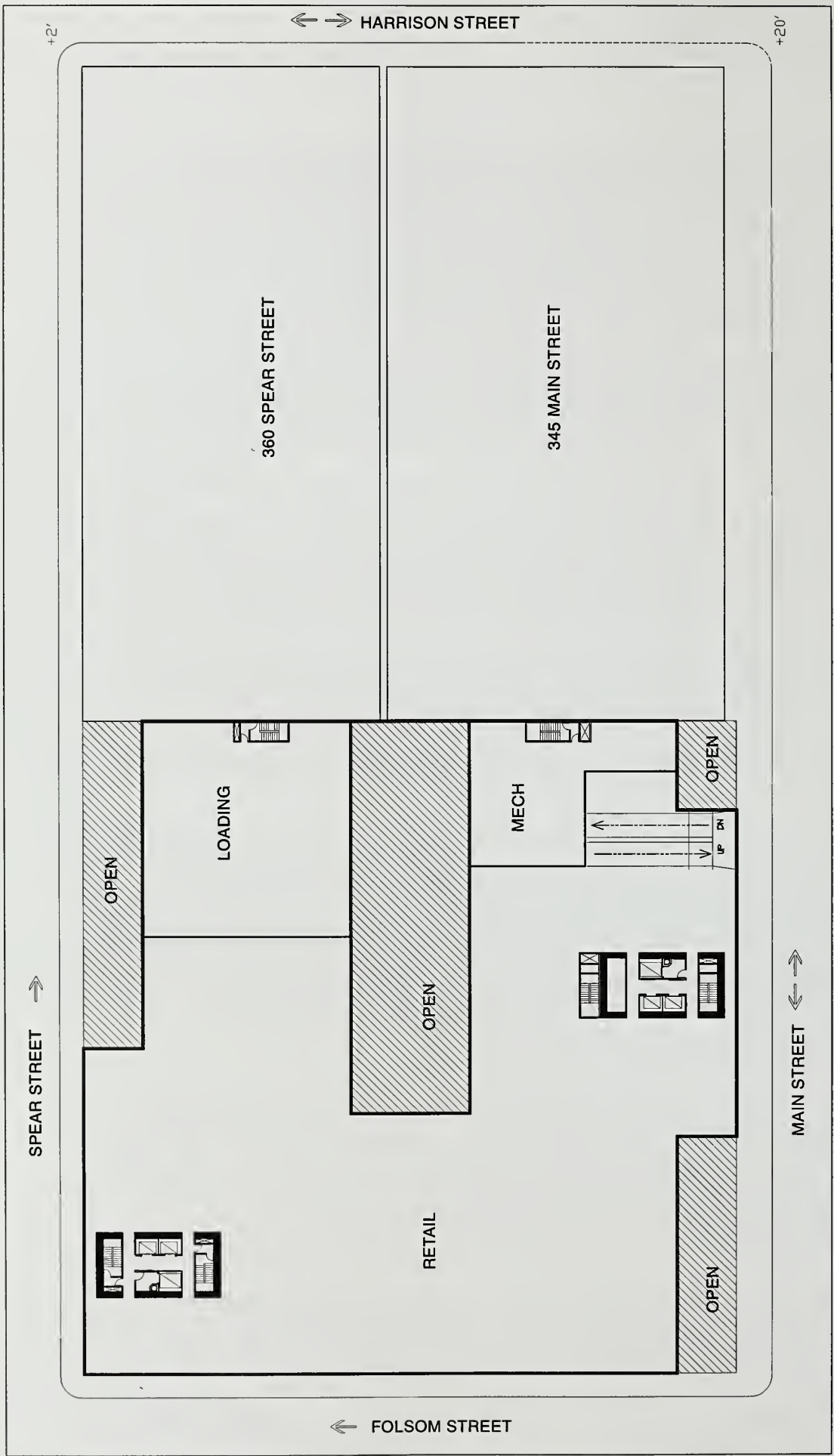
Structurally, both towers would consist of four tiers. The first tier of each tower would contain six levels from the 5th to the 10th floor and have floor plates of about 19,350 sq. ft. and 18,500 sq. ft. The second tier of each tower would contain three levels from the 11th to the 13th floor and have floor plates of about 8,050 sq. ft. The third tier of both towers would contain three levels from the 14th to the 16th floor and have floor plates of about 6,850 sq. ft. and the fourth tier of both towers would have the top four levels from the 17th to the 20th floor and have floor plates of about 5,800 sq. ft. Towers would be situated north of the 105-foot height limit that covers approximately the southern one-third of the development site.

IMPACTS

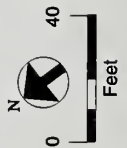
Alternative C would replace the existing parking lot on the site with residential and commercial uses. The alternative would include less floor area and have 435 fewer residential units than would the proposed development. Development potential on the 201 Folsom Street site would remain unchanged because the existing P (Public) zoning would remain for that lot. Overall, land uses would change in a similar manner as described for the proposed development, but the change would result in comparatively lower density and lower intensity than proposed by the development project.

This alternative's proposed 16-story towers above a four-story building base would result in substantially different visual and urban design effects. It would appear considerably less dense because it would have two 250-foot-tall towers instead of one 350-foot-tall tower and one 400-foot-tall tower, as proposed in the development project. Unlike the proposed development project, this alternative's comparatively lower heights would conform to the pattern of heights of nearby mixed-use/residential buildings in the Rincon Hill area at this southern periphery of the downtown high-rise urban form, such as the 19-story Avalon Towers to the west and the 18-story

- Hills Plaza across Spear Street. (See Figure C&R-B: Alternative C Views, p. 248.)



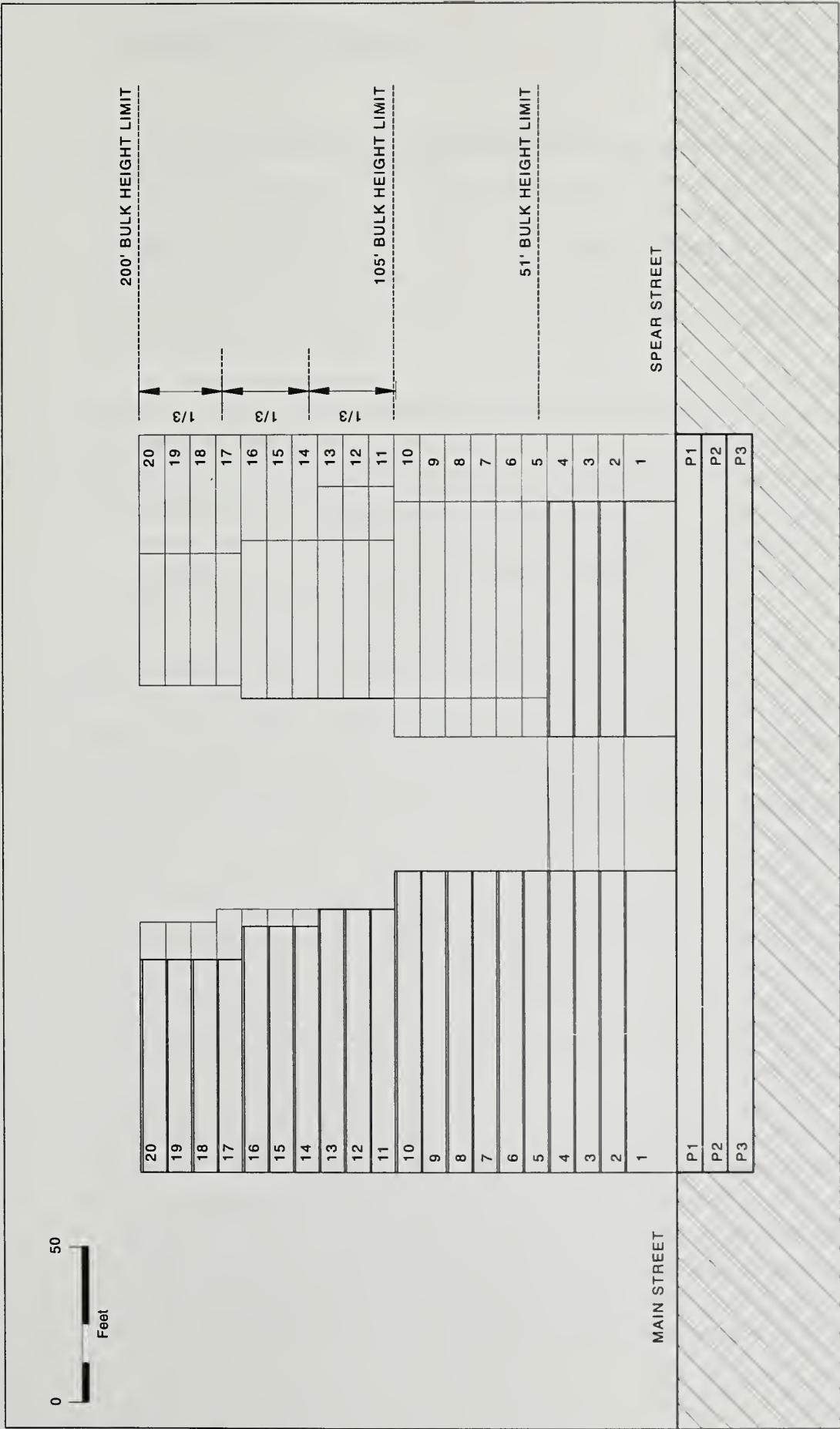
SOURCE: Heller • Manus and Turnstone Consulting



300 SPEAR STREET

2000.1090E

FIGURE 37: ALTERNATIVE C SITE PLAN



SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

2000.1000E

FIGURE 38: ALTERNATIVE C BUILDING SECTION

Alternative C would generate fewer daily and p.m. peak hour person trips to and from the development site. This alternative would generate about 9,955 daily person trips, about 7,475 fewer than the proposed development, and about 1,175 p.m. peak hour person trips, about 1,010 fewer than the proposed development. Alternative C would generate about 170 vehicle trips and about 275 transit trips in the p.m. peak hour. This would be a reduction of about 170 vehicle trips and about 300 transit trips compared to the proposed development.

With approximately 50 percent fewer vehicle trips, Alternative C would result in less traffic impact than the proposed development. The intersection of Fremont and Harrison Streets would worsen from LOS D to LOS E, as with the project, but Main and Harrison Streets would remain at an acceptable LOS D with this alternative. Alternative C would contribute about 50 percent less traffic to future growth at nearby intersections under 2020 cumulative conditions, and thus would not contribute to significant cumulative traffic impacts at either Fremont and Harrison Streets or Main and Harrison Streets, unlike the proposed development project.

Alternative C would result in a smaller parking shortfall, compared with the proposed development project. The approximately 290 spaces now on the development site would continue to be displaced in this alternative, and there would be a shortfall of up to 110 spaces from the residential and retail uses, for a total shortfall of about 400 spaces. The parking shortfall would be smaller than that for the proposed development project by up to 180 spaces, but would increase off-street parking occupancy to about 100 percent, with a result similar to that described for the development.

The proposed project would not cause significant impacts to transit, pedestrian or bicycle conditions. With a reduction in person-trips of more than 50 percent, Alternative C also would not cause significant impacts on these other transportation systems.

Air quality emissions would be about 50 percent less than with the proposed development, and, as with the development project, would result in no significant environmental impacts.

Alternative C would create less shadow on nearby sidewalks and open space than the proposed development. The total length of shadows created by the towers would be reduced in proportion to their reduction in height under Alternative C (by 50 percent and 43 percent, respectively). A reduced building base under Alternative C would create proportionally less shadow on nearby sidewalks, particularly those on Folsom and Spear Streets. Alternative C would also create less shadow on nearby open space. In the afternoon, around the winter solstice, the reduced Spear Street tower would create some net new shadow on Rincon Park, but somewhat less than with the

proposed development. Shadows would not reach the publicly accessible open space at 221 Main Street or Hills Plaza.

The Existing Height and Bulk Alternative would be unlikely to cause greater ground-level wind speeds than the proposed development. As with Alternative B, winds would be expected to increase over existing conditions, possibly to a lesser extent, as the height of the base building and towers is reduced from that of the development project.

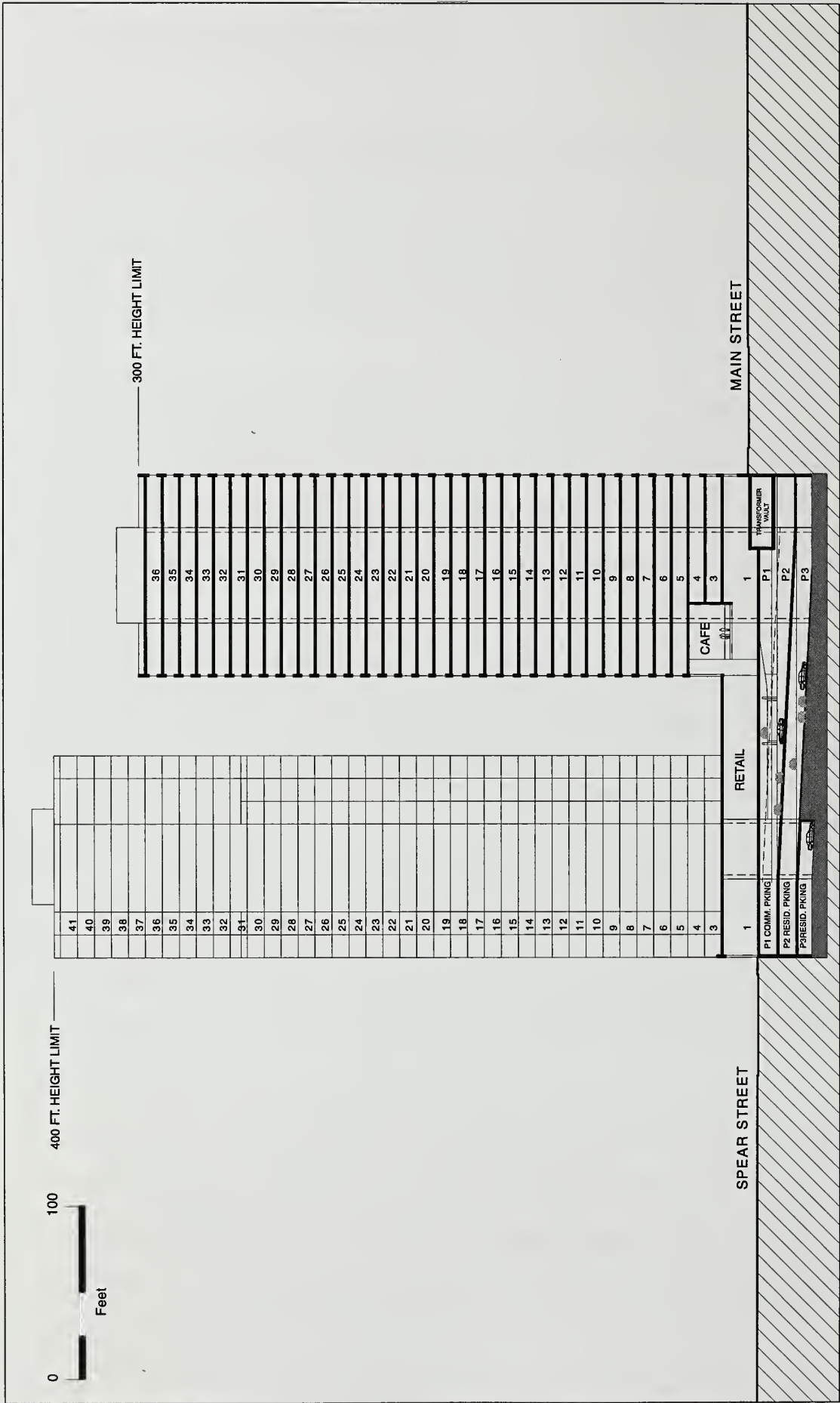
Residents and employees on the site in Alternative C would create demand for goods and services in the vicinity, but this demand would be much reduced compared to that of the development project. No growth would be induced on the site of the 201 Folsom parking lot because the P (Public) District would remain unchanged at that location.

D. ALTERNATIVE D: REDUCED DEVELOPMENT UNDER REQUESTED REZONING

DESCRIPTION

Alternative D would include the same rezoning provisions for the same three lots on two blocks as requested by the proposed project. Fewer residential units, less retail space and no office space, and fewer parking spaces would be developed. The alternative project would have a one-level, double-height building base containing about 35,000 gsf of ground-floor retail space, residential lobbies, parking access and five loading docks. (See Figure 39: Alternative D Building Section.) About 600 residential units would be in two towers of 400 feet and 350 feet. There would be 680 parking spaces in three subsurface parking levels. Vehicular access is assumed to be in the same locations as in the proposed development project. An open central courtyard would provide public open space, and a pedestrian walkway would connect Spear and Main Streets through this courtyard, as with the proposed development project.

This alternative would have about 25,000 gsf less retail space, 50,000 gsf less office space, and 220 fewer residential units than the proposed development project. Parking would be reduced to meet the lower parking requirements of the smaller development program; thus, there would be one parking space per dwelling unit, plus parking for the ground-floor retail use. There would be no residential units in the building base, unlike the proposed development project. The two residential towers would be similar in design to the towers in the proposed development project, conforming to bulk requirements in the requested rezoning.



SOURCE: Heller • Manus and Turnstone Consulting

IMPACTS

Alternative D would replace the existing parking lot on the site with residential and retail uses. It would have 220 fewer residential units, about half the amount of retail space, none of the proposed office space, and about 280 fewer parking spaces than would the proposed development. Compared to the proposed development, this alternative would include comparatively less floor area even though its towers (overall height and bulk) would be similar to those proposed by the development project. Overall, land uses would change in a similar manner as described for the proposed development, but the change would result in lower density and lower intensity than proposed by the development project.

- Alternative D would have visual impacts similar to the proposed development project when viewed from a distance. Together with the proposed 201 Folsom Street project, it would appear as a cluster of high rises at the periphery of the downtown high-rise urban form. When viewed from surrounding streets this alternative would not conform to the five- to eight-story streetwall height established by surrounding buildings. (See Figure C&R-C: Alternative D Views, p. 249.)
- Without such a streetwall presence, Alternative D would have less continuity with nearby buildings than would the proposed development. Without a substantial podium base to mediate between the street and the towers, the scale of the towers is exposed and accentuated for pedestrians.

Alternative D would generate about 37 percent fewer p.m. peak hour person trips than the proposed development project. About 220 vehicle trips would be generated, about 130 fewer than the proposed development project. This reduction would not be sufficient to reduce traffic impacts identified for the proposed development project to less-than-significant levels. Therefore, Alternative D would continue to cause unacceptable LOS E conditions at Fremont and Harrison Streets and at Main and Harrison Streets, and development would continue to contribute to cumulative traffic impacts at these intersections. As with the proposed development project, Alternative D would not cause significant impacts to transit systems, pedestrians or bicycles.

Alternative D would generate fewer vehicle trips than the proposed development project, and therefore would have the same less-than-significant air quality impacts.

Alternative D would create similar shadow on nearby sidewalks and open space as the proposed development project. The development would shade the sidewalks particularly along Folsom, Main, and Spear Streets. The towers would cast shadow on Rincon Park in the afternoon hours of the fall and winter months. New shadow would be cast on the open space at 221 Main Street

around the spring and fall equinoxes, and on the publicly accessible open space at Hills Plaza around the summer solstice.

Alternative D would create similar wind conditions near the development site as would the proposed development project. The greatest wind speeds would be along the east-side sidewalk of Spear Street and along the east-side sidewalk of Beale Street. There would be no hazardous wind speeds exceeding 26 mph with Alternative D.

Residents and employees in the Alternative D would generate a demand for goods and services in the vicinity, but in substantially smaller amounts compared with the proposed development project. Because the maximum development allowable on the 201 Folsom Street site would be the same as with the requested rezoning, the potential for growth at that development site would be the same.

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● IX. COMMENTS AND RESPONSES

A. INTRODUCTION AND LIST OF COMMENTORS

ORGANIZATION OF THIS COMMENTS AND RESPONSES DOCUMENT

This Comments and Responses document presents summaries of the public comments received on the Draft Environmental Impact Report (EIR) for the 300 Spear Street project and responses to those comments. This introduction includes a list of those who provided written comments and/or oral testimony at the public hearing at the project. Section B presents refinements to the project proposed by the project sponsor since the Draft EIR was published. Section C, Comments and Responses, presents all substantive comments made at the Draft EIR public comment hearing before the Planning Commission on November 26, 2002, and all written comments received during the public review period of September 14 to December 2, 2002. Section D presents staff-initiated text changes.

The comments in Section C are shown as direct quotations that have been edited to delete repetition and non-substantive material only. Minor edits may have been made to the public hearing transcript for clarification. Editorial changes to the comments are indicated by square brackets. The comments have been organized by topics that generally correspond to the topics in the Table of Contents of the Draft EIR. Comments from different letters addressing the same issue are grouped together and addressed in one response. Because of this, the order of the comments from a particular letter may vary from that of the original. All comment letters and the transcript of the public hearing on the 300 Spear Street project are presented in their entirety in Exhibits 1 and 2, respectively.

The responses generally provide clarification of the Draft EIR. Each group of comments is followed by its set of responses. The responses include changes in, or additions to, the Draft EIR. Text changes are indented and the new or revised text is shown in **boldface** type. The subject matter of one topic may overlap with that of other topics, so the reader must occasionally refer to more than one group of comments and responses to review all the information on a given subject. Cross-references are provided in these instances.

It should be noted that the Response to Comments component of the environmental review process is intended to respond to comments on the adequacy of the approach and analysis in a

Draft EIR. Comments regarding the merits of and concerns about the project are more appropriately directed to the Planning Commission to assist with their decision of whether or not to approve the project, a decision that will be made at a public hearing subsequent to certification (determination of completeness) of the Final EIR. In order to approve the project, the Planning Commission would be required to adopt a Statement of Overriding Considerations, as required by CEQA, to explain the greater public good that would be achieved despite the significant unavoidable impacts that would occur as identified in the EIR. Some comments do not pertain to physical environmental issues, but, in some instances, responses are included to provide additional information for use by decision-makers.

These comments and responses have been incorporated into the Final EIR as a new chapter.

LIST OF COMMENTORS

The following list of individuals submitted written comments during the public comment period of September 14 to December 2, 2002, and/or provided oral testimony at the public hearing on November 26, 2002 on the 300 Spear Street Project Draft EIR.

Michael J. Antonini, Commission Vice-President, San Francisco Planning Commission (public hearing comments)

Reed H. Bement (written comments, November 18, 2002)

Reed H. Bement (cover letter, November 18, 2002, and two copies of a petition, with a total of 40 signatures, signed by residents of 75 Folsom Street [38 signatures], 229 Brannan Street [1 signature], and 88 Howard Street [1 signature]. The petition is dated November 6, 2002)

Gwenyth Borden (public hearing comments)

Roger Brandon (public hearing comments)

Andrew Phipps Brooks, General Manager, on behalf of the BayCrest Towers Residential Association Board of Directors (written comments, December 2, 2002)

Elizabeth Carney (public hearing comments)

Bobbie Carter (written comments, December 2, 2002, and public hearing comments)

Alexandria Chun (written comments, November 6, 2002, and public hearing comments)

IX. Comments and Responses

Barbara J. Cook, P.E., Chief, Northern California - Coastal Cleanup Operations Branch,
Department of Toxic Substances Control (written comments, October 18, 2002)

Patricia J. Fodor (written comments, November 24, 2002)

Peter Hartman (written comments, November 22, 2002)

Sue Hestor (public hearing comments)

William Lee, Commissioner, San Francisco Planning Commission (public hearing comments)

James D. Lowé, Transit Planner, for Peter Straus, Manager of Service Planning, Muni (written
comments, October 7, 2002)

Mary Anne Miller (public hearing comments)

Konstantin Ovodov (written comments, November 25, 2002)

Judith Patterson (public hearing comments)

Residents of 461 2nd Street (petition with nine signatures, November 6, 2002)

Timothy Sable, District Branch Chief, IGR/CEQA, Department of Transportation (written
comments, October 29, 2002)

Lloyd Schloegel (written comments, November 26, 2002)

Ted Soderberg (written comments, September 16, 2002)

Elizabeth Sullivan, Executive Director, City CarShare (written comments, November 19, 2002)

Rev. Arnold Townsend (public hearing comments)

Steve Vettel, on behalf of Jim Chappel, President of SPUR (public hearing comments)

The Rev. Aurelious Walker, Pastor, True Hope Church (public hearing comments)

Alan R. Zahradnik, Planning Director, Golden Gate Bridge, Highway and Transportation District
(written comments, October 28, 2002)

B. REVISIONS TO THE PROPOSED PROJECT

The Draft Environmental Impact Report (Draft EIR) prepared for the proposed 300 Spear Street project was published on September 14, 2002 (File No. 2000.1090E). The proposed project analyzed in the Draft EIR was to rezone parcels in the Rincon Hill neighborhood (the “rezoning project”) and to construct a mixed-use development of approximately 1,560,000 gross square feet (gsf) at 300 Spear Street (the “development project”). The property is currently used as a paved parking lot for about 290 vehicles. The rezoning project, including Lots 1 and 8 in Assessor’s Block 3745 and part of Lot 1 in Assessor’s Block 3746, would remain as described in the Draft EIR.

The development project analyzed in the Draft EIR was for construction of up to 820 residential units, about 60,000 gsf of retail, about 50,000 gsf of office space, and about 960 underground parking spaces. Two 80-foot-tall building bases were proposed to be built to the property lines on Spear, Folsom and Main Streets; the building bases would enclose a landscaped courtyard beginning at the courtyard (third) level. A pedestrian walkway connecting Spear and Main Streets would be routed through the landscaped courtyard. Another 20- to 30-foot-wide pedestrian walkway, accessible from the courtyard, would abut the rear property line. Two residential towers would rise above the building bases to total heights of approximately 350 feet and 400 feet above the ground level, respectively.

The issues studied in the Draft EIR included land use, zoning and plan consistency, visual quality and urban design, transportation, air quality, shadows and wind, and growth inducement. The Draft EIR concluded that the proposed development project would result in project-specific and cumulative transportation impacts; it would cause the intersections of Fremont and Harrison Streets, and Main and Harrison Streets to degrade from Level of Service (LOS) D to LOS E; and it would contribute to significant cumulative traffic impacts at the same intersections, operating at LOS F under projected 2020 cumulative conditions.

The following discussion regarding a revised project has been added to the Final EIR in Chapter II, Project Description at the end of Subsection II.D, Project Characteristics, following p. 56, and at the end of each topic discussion in Chapter III, Setting and Impacts, as appropriate. In addition, a summary of these revisions has been added to Chapter I, Summary, in the Final EIR.

PROPOSED REVISIONS TO THE PROJECT

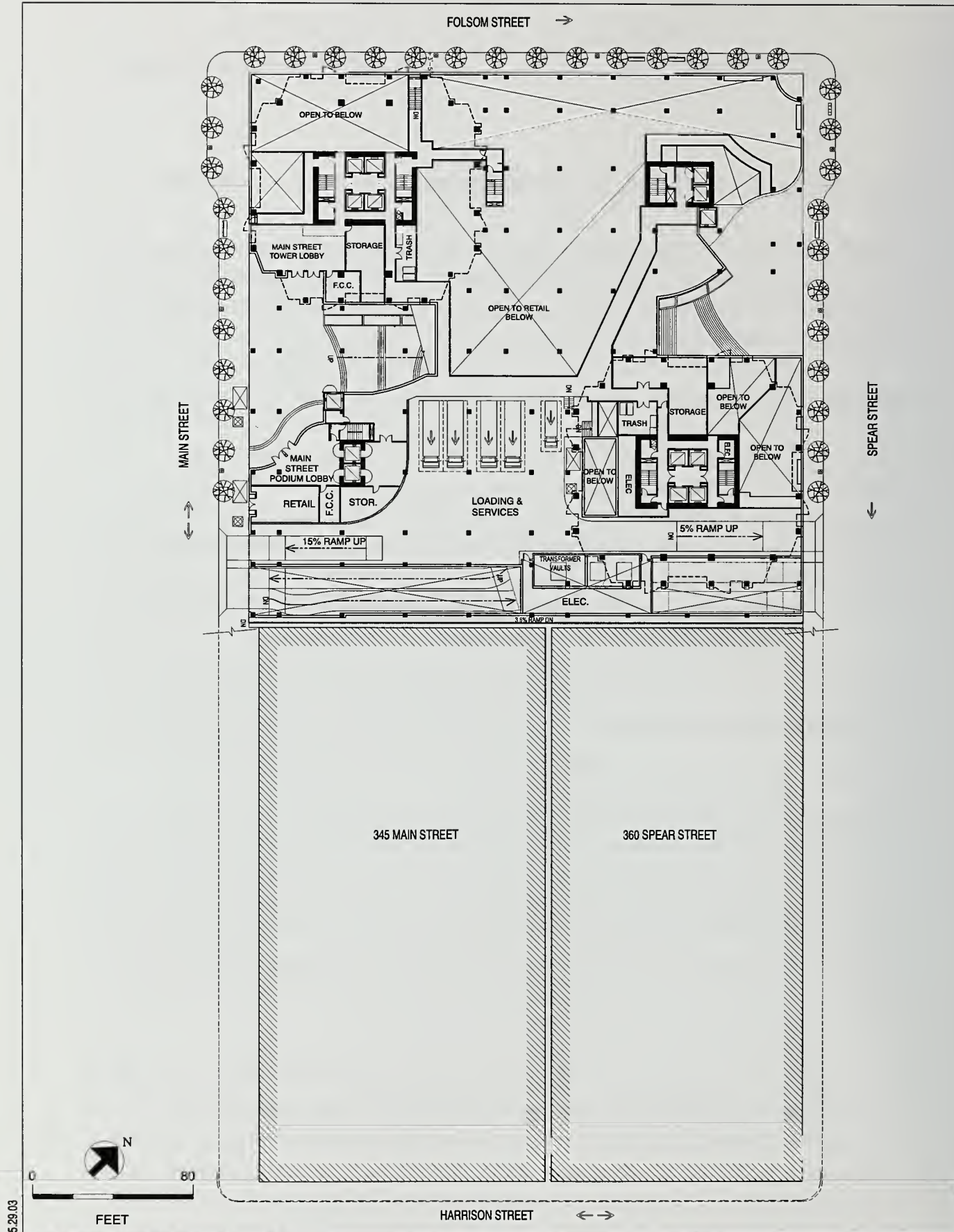
Subsequent to publication of the Draft EIR, the project sponsor has revised the development project and made minor changes and clarifications to requested amendments to Planning Code text. Requested amendments to height and bulk limits and the zoning map have not changed from those analyzed in the EIR.

Revised Development Project

The revised development project would be a high-rise residential building with 720 to 820 residential units in 915,000 gsf of space and 36,000 gsf of retail space. It would provide about 890 parking spaces (820 spaces for residential and 70 spaces for commercial uses) in six levels of subsurface parking. The revised project would provide about 49,375 gsf of common open space on podium rooftops and in the form of an interior courtyard; up to 8,355 gsf of private open space; and about 700 gsf of publicly accessible open space to meet requirements for the retail use.

The proposed revisions would reduce retail gross square footage by 24,000 gsf and eliminate all of the office space. The revised development project would include 70 fewer parking spaces. The parking layout has been redesigned, so there would be six subsurface levels instead of five. It would increase common and private open space by 15,575 gsf and 850 gsf, respectively; it would reduce publicly accessible open space by 2,600 sq. ft. It would include up to the same number of residential units as were analyzed in the Draft EIR (820 units). The design of the development project would be similar to the Draft EIR proposal, with two residential towers rising above two 80-foot-tall building bases or podiums (the Main Street and Folsom Street podiums) to total heights of about 350 and 400 feet above the ground level, respectively. The podiums would enclose an interior landscaped courtyard. Rather than porte cocheres on Spear and Main Streets, the revised development proposes vehicle pull-outs on Main and Spear Streets adjacent to the open areas leading to residential lobbies. (See Figure 21a: Revised Project Main Street Level, and Figure 21b: Revised Project Courtyard Level.)

Retail spaces, lobbies and services in the revised development project would occupy first, second and third levels of both podiums; the rest of the podium floor space would be occupied by residential uses. Both Main and Spear Street towers would remain entirely residential. The podiums would be designed as rectangular buildings. The Folsom Street podium would be sited on the northern portion of the property and would front Folsom and Spear Streets, and the interior courtyard. The Main Street podium would be sited on the southern portion of the property and

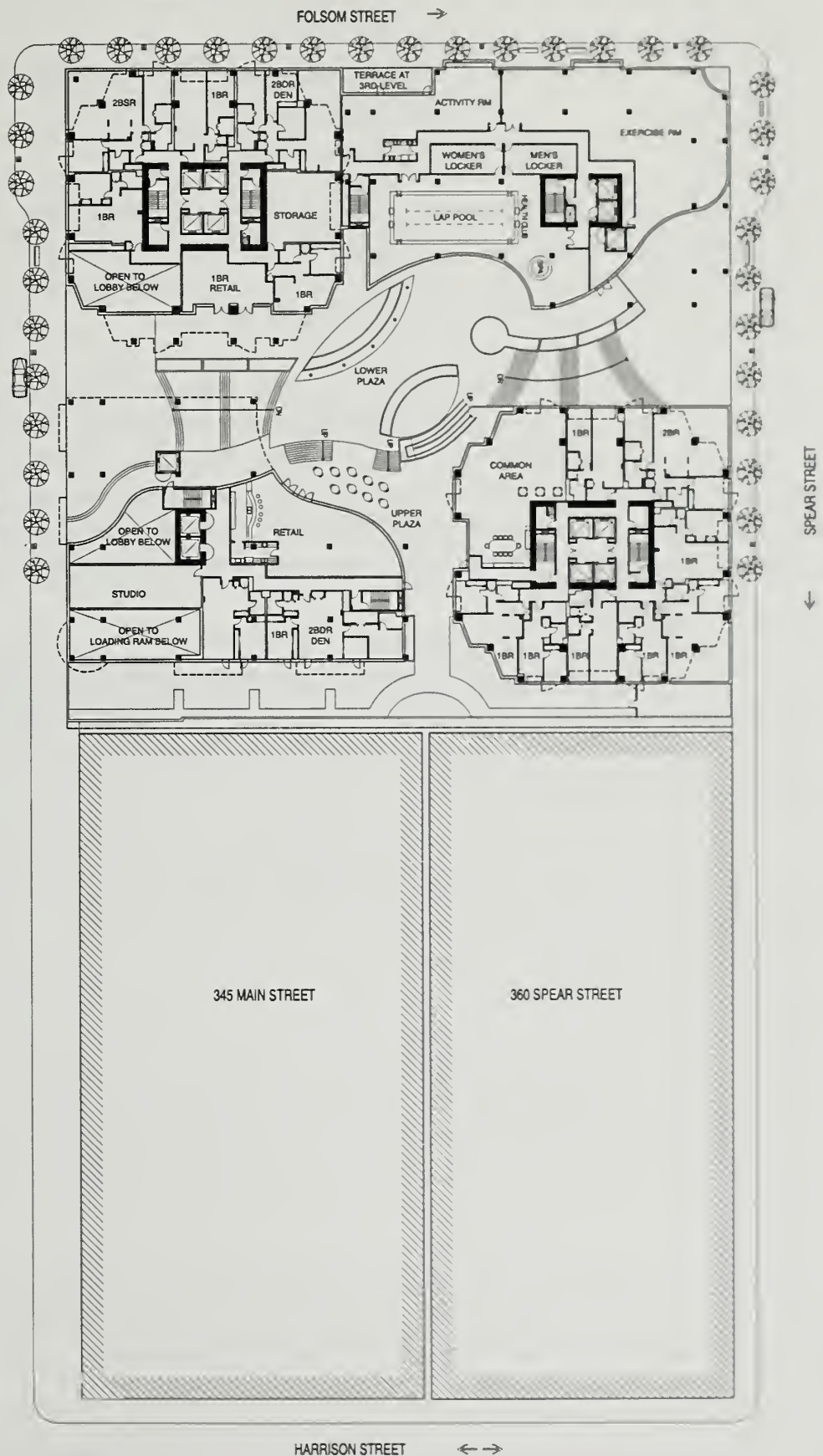


SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 21a (NEW): REVISED PROJECT MAIN-STREET LEVEL



SOURCE: Heller • Manus and Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 21b (NEW): REVISED PROJECT COURTYARD LEVEL

would front Main Street and the interior courtyard. The podiums would no longer bridge over the pedestrian walkway leading from Main and Spear Streets to the landscaped courtyard. From Main and Spear Streets, the project would appear to be two separate buildings with a connecting central open space. (See Figure 21c: Revised Project Building Section.)

Residential units in the towers would be designed to have a combination bay window/balcony. With the addition of bay windows/balconies to residential units in the towers, each tower would have a maximum plan length of 121 feet and a maximum diagonal of 134 feet, rather than 115 feet and 140 feet, respectively, for the project as analyzed in the Draft EIR. As with the Draft EIR project, the towers would step back at the top and would be at least 82.5 feet apart at their bases. In the revised development project, the towers would have flat roofs, and flagpoles would not be placed at the top of each tower.

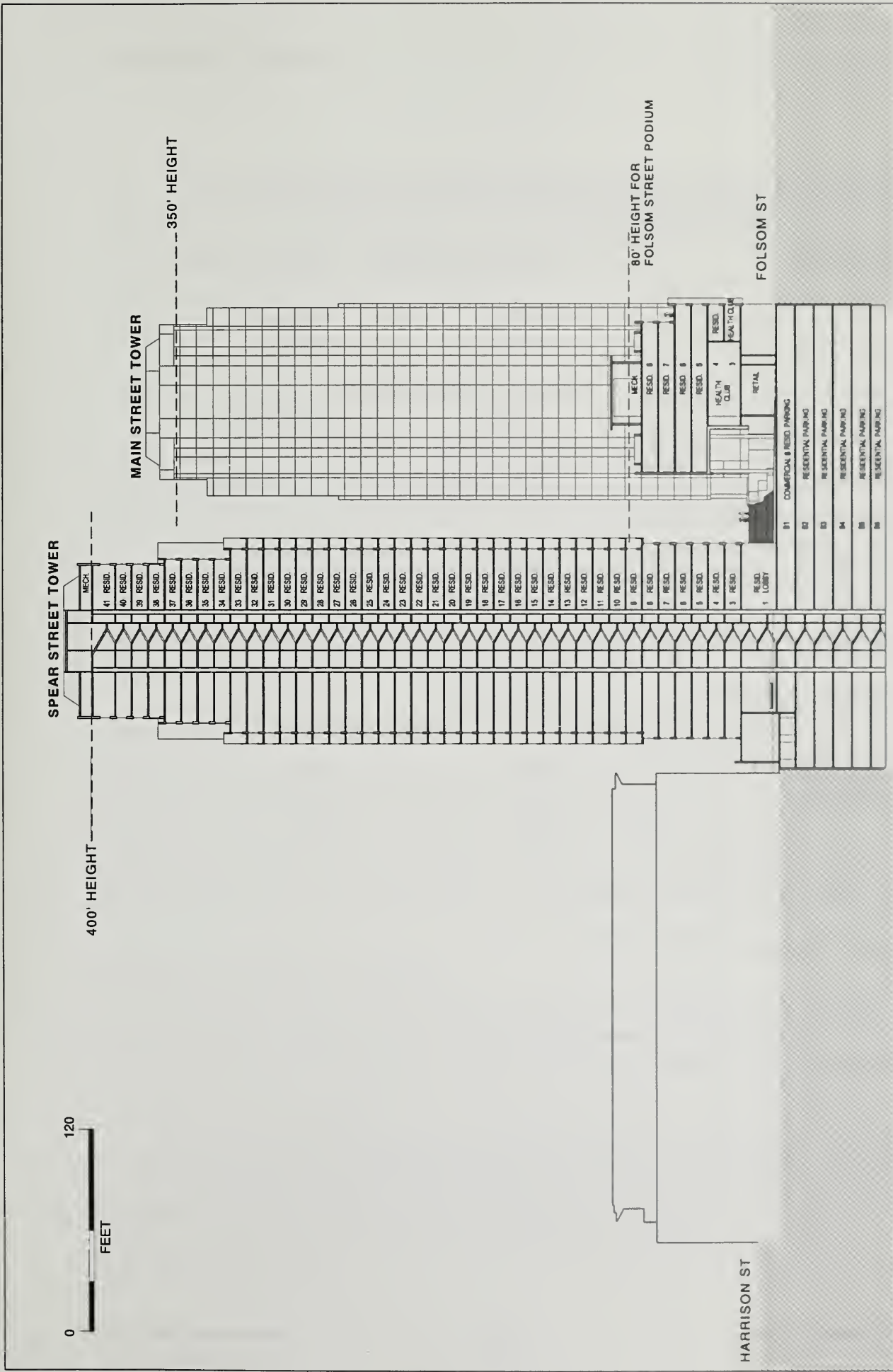
Table C&R-1 shows a comparison of the Draft EIR development project and the revised development project.

Revised Requested Rezoning Project

The project sponsor has also made minor changes and clarifications to the requested Planning Code text amendments included in Appendix B of the EIR.¹ For new construction, maximum non-residential FAR would be reduced from the 5:1 originally proposed to 0.75:1. The minimum residential parking requirement of 1 space per unit would be deleted, but 1 space per unit would still be allowed. Maximum base height would be increased from 80 feet to 85 feet, and other provisions using the base height would be changed to be consistent. Affordable housing provisions specific to the proposal would be deleted; the rezoning area would be subject to citywide inclusionary housing requirements. The changes would clarify that residential open space in the rezoning area is not subject to Section 135 of the Code and that limits in the Rincon Hill SUD on parking in portions of buildings near Folsom and other streets only apply to parking at street grade.

The reduced non-residential FAR would limit non-residential floor area in a development project on the 300 Spear Street site to approximately 56,720 square feet; the revised development project evaluated here would contain about 36,000 gsf of non-residential uses (retail).

¹ The requested Planning Code text amendments, as revised, are on file at the San Francisco Planning Department, 1660 Mission Street, and are available for review, by appointment, as part of the project file.



SOURCE: Heller • Manua and Turnabone Consulting

300 SPEAR STREET

2000 1090E

FIGURE 21c (NEW): REVISED PROJECT BUILDING SECTION

Table C&R-1: Comparison of the Draft EIR Development Project to the Revised Development Project

<u>Characteristic</u>	<u>Draft EIR Proposal</u>	<u>Revised Proposal</u>
Height		
Main Street Tower	350 feet	350 feet
Spear Street Tower	400 feet	400 feet
Number of Stories		
Main Street Tower	36 stories	36 stories
Spear Street Tower	41 stories	41 stories
Parking Levels	5 levels below grade	6 levels below grade
Number of Residential Units	Up to 820 units	Up to 820 units
Retail Space	60,000 gsf	36,000 gsf
Office Space	50,000 gsf	none
Open Space		
Publicly Accessible	3,300 gsf	700 gsf
Residential Common	33,800 gsf	49,375 gsf
Residential Private	7,500 gsf	up to 8,355 gsf
Number of Parking Spaces		
Residential	820	820
Commercial	<u>140</u>	<u>70</u>
<i>Total</i>	960	890
Number of Loading Docks	5	5

Source: Heller • Manus, Turnstone Consulting

Approvals Required for Revised Project

The revised development project would require the same approvals identified for the project on pp. 57-58 of the Draft EIR. In addition to these approvals, the revised project would also require an exception to bulk limits for the two towers. According to the new “W” bulk limits requested by the rezoning project, the maximum plan length permitted for buildings between 300 and 400 feet tall would be 115 feet, and the maximum diagonal dimension permitted would be 145 feet. If the rezoning controls requested by the project were approved, the new “W” bulk limits would apply to the proposed 300 Spear Street development. The revised floor plans of the proposed 350- and 400-foot-tall towers include a combination bay window/ balcony system and would

have a maximum length of about 121 feet and a maximum diagonal dimension of about 134 feet. The revised project would meet the diagonal dimension requirement but exceed the length requirement under the new “W” bulk limits. Therefore, the building would require Conditional Use authorization under Planning Code Sections 271(c): Bulk Limits - Special Exceptions in Districts Other Than C-3, according to the procedures for CU authorization pursuant to Planning Code Section 303.²

EVALUATION OF THE REVISED PROJECT

Section 31.19(c)(1) of the San Francisco Administrative Code states that a modified project must be reevaluated and that, “If, on a basis of such evaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter.” The CEQA Guidelines call for additional environmental documentation unless the lead agency determines that the changes that are proposed for the project could not involve any new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

A comparison of the potential environmental impacts found that the revised project would either have substantially the same or slightly less environmental impacts than the development project analyzed in the Draft EIR. No new significant impacts were found and no substantial increases were found in impacts identified as significant environmental impacts. The differences in impacts are discussed below by topic. All mitigation measures and improvement measures identified in the Draft EIR would be applicable to the revised project, and those identified as included in the project would continue to be included.

Land Use, Zoning, and Plan Consistency

Land Use, Zoning, and Plan Consistency changes that would result with implementation of the project analyzed in the Draft EIR are set forth on pp. 59-91 and in the Initial Study (Appendix A)

² Planning Code Section 271 does allow exceptions to the plan length rule; therefore, the proposed design subtracts an equivalent amount of bulk to offset the amount of bulk by which the design is exceeding the controls, and is intended to comply with Planning Code Section 271(c)(1)(D). The expression of the bay windows is intended to make the building appear narrower than would facades without such vertical expressions. Additionally, the bay windows would not be orthogonal in plan-shape, but would be triangular-shaped with a slight arc. That means the plan length is continually diminishing, the 121 feet would occur only in a small area.

on pp. 12-15. The evaluation found that the proposed change in land use would constitute a substantial intensification of land use at the development site. This change would continue and extend existing and planned uses in the area. The project would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity. Therefore, the proposed change in land use would not be a significant impact. With the revised development project, the proposed office use would be eliminated and the development would include residential, retail and parking uses, which would be compatible with existing and planned uses in the area. Therefore, it would not have a significant impact on land use.

Effects of the revised requested rezoning would remain the same as described in the Draft EIR except that commercial (non-residential) space would be limited to a total of about 113,400 gsf on both the project site and the adjacent 201 Folsom Street site. Physical effects that would occur with the requested rezoning due to changing the controls in the *Rincon Hill Area Plan* of the *San Francisco General Plan* would be the same as discussed in the Draft EIR, encouraging taller, mixed residential/commercial buildings; commercial uses would likely be confined to the ground floor under the request rezoning. Therefore, full development under the requested rezoning would be somewhat less and its impacts would be less than or the same as discussed under each topic in the Draft EIR.

Visual Quality and Urban Design

Changes to the visual quality and urban design of the existing environment that would result with the implementation of the project analyzed in the Draft EIR are set forth on pp. 92-109 and in the Initial Study (Appendix A) on p. 16. The building design of the revised development project would have the same tower heights above an 80-foot-tall base structure and would be visually similar to the project, with the exception of the following design changes: podium buildings would have a north-south orientation instead of an L-shaped design; the combination bay window/balcony feature would be added to the residential units of the two towers; the “bridge” structures over the pedestrian entrances at Main and Spear Streets would be removed; and flagpoles at the top of each tower would be removed. The addition of the combination bay window/balcony system would result in slightly bulkier towers than the design in the Draft EIR.

The revised development project, together with the similarly scaled 201 Folsom Street, proposed within the area of the requested rezoning, would constitute a substantial change in the visual environment south of Folsom Street, as would the project evaluated in the Draft EIR.

The Draft EIR noted that the development project would not substantially change important view corridors or obstruct scenic views. The revised project, with two towers of the same height, and orientation and similar bulk, would be viewed in a similar manner.

The revised development project, like the Draft EIR proposal, would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area. Large expanses of vacant land in close proximity to the dense downtown core, including the development site, characterize much of the immediate vicinity. The project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed development project.

Similar to the Draft EIR proposal, the proposed 300 Spear Street building would include features that are intended to enhance the pedestrian environment, convey a sense of human scale and visual interest at street level and create continuity with nearby existing and future buildings.

For these reasons, the revised project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

Transportation

Transportation impacts that would result with the implementation of the development project analyzed in the Draft EIR are set forth on pp. 110-138. Overall, the weekday daily and p.m. peak hour trip generation would be less than shown in the Draft EIR with the revised development project. There would be about 4,830 fewer daily person trips (about 12,600 for the revised project compared to 17,430), and about 460 fewer p.m. peak hour person trips than with the project analyzed in the Draft EIR.

The revised development project would generate about 270 p.m. peak hour vehicle trips, about 70 fewer than the 339 vehicle trips shown in the Draft EIR. About 35 percent of the p.m. peak hour vehicle trips would be outbound from the project vicinity, compared with about 40 percent with the Draft EIR development project because office space would be eliminated in the revised project, and office uses generate a greater proportion of outbound p.m. peak hour trips than do retail and residential uses. Although there would be fewer outbound vehicle trips in the p.m. peak hour, the reduction would not be sufficient to change the results in the Draft EIR showing that the development project would cause the intersections at Fremont and Harrison Streets and Main and Harrison Streets to worsen from LOS D to LOS E, and that the development project would contribute to significant cumulative impacts at these same intersections. Thus, the revised

development project would have the same project-specific and cumulative impacts as those described in the Draft EIR.

About 473 p.m. peak hour transit trips would be generated by the revised development project. This is about 100 fewer than the approximately 575 transit trips generated by the development project analyzed in the Draft EIR. The reduction in the number of p.m. peak hour transit trips results from the elimination of office space and reduction in retail space in the revised development project. As with the development project analyzed in the Draft EIR, the revised project would not substantially affect nearby transit service.

The revised development project would have a smaller parking requirement than the development project analyzed in the Draft EIR: the requested rezoning would require 890 parking spaces for the revised project compared with 960 required spaces. Existing provisions in the Rincon Hill Residential Subdistrict would require 842 parking spaces, about 48 fewer than under the requested rezoning. The revised development project would meet the parking provisions in the requested rezoning. The revised development project's parking shortfall would be similar to that identified in the Draft EIR, because the majority of the shortfall arises from displacement of the existing 290 parking spaces and from the residential parking demand, which would not change. As explained in the Draft EIR, the parking shortfall would make it more difficult for motorists to find parking in the two-block-radius parking study area.

The revised development project would generate somewhat less demand for loading docks. The five loading docks proposed would continue to meet the peak loading demand, as noted in the Draft EIR.

The revised requested rezoning would generate somewhat fewer person and vehicle trips under full development with the maximum allowable commercial space than would be generated by full development under the requested rezoning analyzed in the Draft EIR. The reduction in the amount of allowable commercial space, about 156,000 gsf, could reduce traffic impacts, but would not reduce them to less-than-significant levels.

Air Quality

Air Quality effects that would result from implementation of the development project analyzed in the Draft EIR are set forth on pp. 139-148 and in the Initial Study (Appendix A) on pp. 23-24. The Draft EIR concluded that the development project's effects on air quality would be less than significant. The revised development project's effects on air quality would be slightly reduced

because there would be fewer daily vehicle trips. Therefore, it also would not result in significant air quality impacts.

Shadows and Wind

Shadows

The Initial Study determined that the development project would not have a significant shadow effect under Planning Code Section 295 because it would not shade open spaces under the jurisdiction of the Recreation and Park Department (see Appendix A, p. 25). Similar to the Draft EIR project, the revised project would not shade any public open spaces under the jurisdiction of the Recreation and Park Department. Therefore, the shadow impact of the revised development project would also be considered less than significant.

For informational purposes, the Draft EIR discussed the development project's shadow effects on nearby publicly owned or controlled open space areas ("public open space") that are not subject to Planning Code 295; on publicly accessible open space areas associated with development on privately-owned land ("publicly accessible open space"); and on sidewalks (see pp. 149-158 of the EIR).

The Draft EIR noted that the project cast shadows on local sidewalks. It would shade portions of Rincon Park in the afternoon hours during the months of September through March, and it would also shadow the western portion of publicly accessible open space at Hills Plaza in the late afternoon around the summer solstice. As with the project evaluated in the Draft EIR, the shadow impacts of the revised development project are determined to be less than significant.

Wind

The Draft EIR discussed the wind effects of the development project on pp. 158-171, and concluded that the effects would be less than significant, because the project would not cause hazardous wind conditions at the ground level. Changes to existing wind conditions that would result with the implementation of the revised development proposal were briefly assessed by consulting meteorologist Donald Ballanti.³ Changes in building design due to the revised development proposal could result in beneficial changes to winds speeds in sidewalk pedestrian

³ See Donald Ballanti, Certified Consulting Meteorologist, letter to Barbara W. Sahm, Turnstone Consulting, regarding *Wind Impacts of the Proposed 300 Spear Street Current Design*, February 5, 2003.

areas as well as to cumulative wind conditions with the proposed 201 Folsom Street. The project sponsor would have the final landscaping plan for interior pedestrian spaces such as the landscaped courtyard evaluated by a qualified meteorologist, as provided in the Wind Improvement Measure on pp. 179-180 of the EIR, and modified as recommended. The last paragraph of the wind improvement measure would be expanded for the revised project to provide that further wind tunnel tests would be conducted for the courtyard, if deemed necessary by the meteorologist. Pedestrian wind conditions created by the revised development project would be similar to or slightly less than with the project analyzed in the Draft EIR; therefore, impacts would be less than significant.

Conclusions

The revised project as described above was evaluated for its potential for significant environmental impacts particularly in relationship to the project analyzed in the Draft EIR. The evaluation found that the revised project would result in less-intense land use. In addition, the evaluation found that there would be no new significant environmental effects. Both the reduction in residential units and the number of parking spaces, in the revised development project, and the reduction in the revised requested rezoning in commercial (non-residential) uses would result in environmental impacts that would either be less than or substantially the same as the project analyzed in the Draft EIR.

C. COMMENTS AND RESPONSES

LAND USE AND PLANS

Land Use

Sidewalk Widening / Site Coverage / Open Space

Comment

The Rincon Hill Area Plan calls for significant open space, including the widening of a number of sidewalks. The present projects not only calls for the elimination of the widening of sidewalks but, in addition, provides for 100% site coverage as compared to the existing allowable 80% coverage. Also, as previously noted, these projects provide for nearly 40% less open space than is called for by the Plan, and for one project the open space which is provided is at elevations of

16 and 20 feet above street level. Although these facts can be found with some difficulty in the EIR, the impact of these facts upon the neighborhood is not discussed. (*Reed H. Bement*)

Response

The 300 Spear Street development site is located in the Residential subdistrict of the Rincon Hill Special Use District (SUD), adopted in 1985. The project requests a Planning Code text amendment creating a new Residential/Commercial subdistrict under the Rincon Hill SUD and establishing development controls for the new subdistrict (see Chapter II, Project Description, pp. 29-38, and Appendix B, Requested Amendments to Planning Code and General Plan, pp. B-2-B-19, of the EIR).⁴ This requested rezoning is analyzed in Section III.A, Land Use, Zoning, and Plan Consistency, pp. 59-91, and physical impacts of the requested rezoning are studied throughout the EIR. The provisions of the requested rezoning referred to in this comment do not raise environmental issues, and this response is for informational purposes only.

Sidewalk Widening

Requested amendments to the *General Plan's Rincon Hill Area Plan* that call for eliminating the planned reductions in widths of Main, Beale and Spear Streets are presented in the EIR on pp. 36 and 38. The impacts of amending the *Rincon Hill Area Plan* Objectives and Policies related to narrowing Main, Beale and Spear Streets are discussed in Section III.A, Land Use, Zoning and Plan Consistency, pp. 85-86. As stated on p. 86, such changes would revise the *Rincon Hill Area Plan* to make it consistent with the requested rezoning. However, it would not result in any change to existing physical conditions on Main, Beale and Spear Streets, and therefore would not be considered an environmental impact under the California Environmental Quality Act (CEQA).

Site Coverage Controls

Chapter II, Project Description, p. 36, discusses the project's rezoning request for permitting 100 percent site coverage instead of the required 80 percent site coverage provided by the existing Rincon Hill SUD zoning provisions for properties in the proposed new Residential/Commercial subdistrict. The requested changes and the existing controls governing site coverage are compared in Table 1, Rincon Hill SUD - Existing and Requested Rezoning, on p. 79, and are

⁴ Appendix B of the EIR, Requested Amendments to Planning Code and General Plan, presents the full text of the new subdistrict and zoning changes requested.

discussed on pp. 82 and 87. As explained on p. 89, the requested rezoning would permit higher densities but would not cause significant adverse land use changes.

Open Space Area Requirements

The requested rezoning includes changes to open space area requirements for the new Residential/Commercial subdistrict, as described in Chapter II, Project Description, on pp. 33-38. More detail about the requested changes to open space area requirements is provided in Table 1, on p. 81. Effects of the requested rezoning are discussed on pp. 83-84 and p. 88.

The existing zoning controls require 1 square foot of open space for every 13 square feet of gross floor area of dwelling units within the Residential subdistrict, as noted in Table 1 on p. 81. The project requests revisions to the existing open space requirements. Under these revisions, open space would be required (i) at the ratio of 1:50 for non-residential uses and (ii) at the ratio of 36 sq. ft. of private open space for each residential unit, and (iii) common usable open space may be substituted for private open space at the rate of 133 percent of the amount of required private open space. The proposed open space requirements are similar to those in other residential zoning districts in the City. With approximately 1,000,000 gsf for up to 820 residential units, the 300 Spear Street development project would have had to provide about 76,920 gsf of open space under existing Rincon Hill SUD controls. As discussed in Chapter II, Project Description, on p. 55, the development project proposes to provide about 33,800 gsf of common open space, 7,500 gsf of private open, and 3,300 gsf of common open space at the porte cochere on Spear Street, a total of approximately 44,600 gsf of open space. The amount of open space proposed by the 300 Spear Street development project would be about 43 percent less than would be required under existing zoning controls for properties in the Residential subdistrict of the Rincon Hill SUD. The rezoning request will be considered by the Planning Commission as part of its deliberations on whether to approve or disapprove the project; approval of the requested rezoning rests with the Board of Supervisors. The existing height limit would, however, not permit a building with approximately 1,000,000 gsf of residential space; therefore, the actual amount of open space that would be required under existing SUD controls could be less than 44,600 gsf of open space included in the proposed development project, depending on the gross floor area proposed in such a development. As explained in the EIR on p. 88, “the development project would provide residential open space at a lesser ratio than would be provided under existing Residential subdistrict controls” [emphasis added]. The requested rezoning would add a requirement for open space at the ratio of 1:50 for non-residential uses that is not found in existing controls.

The 300 Spear Street development project proposes to provide some of its open space in the form of a centrally located landscaped courtyard approximately 16 and 20 feet above the street level, accessible from both Main and Spear Streets. As discussed on p. 39 of the EIR, the courtyard would be accessible from the Spear Street-level porte cochere via stairs and an elevator, and from the Main Street-level porte cochere via ramp and stairs. Thus both streets would provide direct access to the central public courtyard. Additionally, as called for in the *Rincon Hill Area Plan*, a pedestrian walkway connecting Spear and Main Streets would extend through the middle of the development site beginning at street level from Spear Street, rising to the landscaped courtyard at the third level, and culminating at street level on Main Street.

Residential Density

Comments

This development is located on the south side of Market Street standing directly opposite about forty high rise office towers on the north side of Market Street. There are numerous under-utilized high rise office buildings nearby, and also buildings with housing and so there is no need for this new development. The city is proposing to build a whole series of new structures in the downtown area south of Market Street, without there being much demand for this, along many VACANT lots on Folsom Street, which were previously used as surface parking lots. These lots have been a convenience to the public, and to downtown working people. . . These projects, if completed, may be under-utilized for many years, and attract temporary groups which will be disturbing to the business community, and to the community at large. . . People do not like to live in high-rise downtown apartment buildings. The present use of the site as a large flat public parking lot is good, and should be preserved.

The draft EIR overlooks many practical and security issues, and the normal preferences of people, which may be a long term problem for the city. The project is not necessary, out of scale, and should be stopped. (*Lloyd Schloegel*)

There is almost no other thing like this in the City and this is on the south side of Market in the midst of a business and an office district. It's not residential district. It is an office district and office workers, traditionally, don't like living in downtown office districts. . . These buildings, these projects are being located on building sites that are very large, very large flat surface parking lots in the downtown area. . . These projects, if completed, may be under-utilized for many years as so many have been, attracting a temporary group which will be disturbing to other business and/or housing developments in the downtown area. . . The City is proposing to build a whole series of new structures without there being much demand for this along many vacant lots on Folsom Street which were previously used as surface parking lots. . .

This proposal is wrong, both proposals are wrong, and it seems to me that we need another building moratorium lasting several years which would work this time and stop unnecessary

building projects. . . The present use of the site as a large flat parking lot is good and this use should be preserved. (*Roger Brandon*)

As the South of Market area is already where most all of the new housing in the City has recently been constructed and will continue to be constructed (e.g. Mission Bay), to allow an even greater percentage of the overall new construction for the City to occur there will adversely affect the quality of life for those who now or hereafter live and work in the area. The much higher density resulting from these projects should be specifically contrasted with the density of other residential areas of San Francisco to provide a meaningful discussion of what is proposed.

The type of units to be offered and the anticipated price range need to be included in the EIR so that it can be determined whether there is a realistic need for such units in San Francisco. The large number of units presently available (e.g. Bridge View Towers, Yerba Buena Lofts, The Brannan), as well as those already approved or under construction (e.g. Mission Bay, 333 First Street, 325 Fremont Street, 200 Brannan) should also be factored into this evaluation. (*Reed H. Bement*)

. . . [T]he EIR and the report does not address what sixteen hundred units will do to the neighborhood. . . It is quite an addition to that neighborhood and there are traffic issues, light issues, wind issues, sun issues that are not complete in the EIR. (*Judith Patterson*)

Response

As discussed in the EIR on pp. 66-67, under Section III.A, Land Use, Zoning and Plan Consistency, the Rincon Hill SUD, where the project site is located, was established in 1985 to convert an underutilized and outmoded industrial area to a residential neighborhood close to downtown that would contribute to the City's housing supply.

Housing demand in and of itself and the price range of the proposed units are socioeconomic issues, not physical environmental effects. The project would not create a demand for housing, but would respond to the ongoing demand for housing in San Francisco. The Initial Study, Appendix A of the EIR, discusses housing demand and residential density under the Population subsection on pp. 16-18. Providing new housing to meet the strong demand identified by the Association of Bay Area Governments (ABAG) for San Francisco is particularly difficult because the amount of land available is limited and land and development costs are relatively high.

Comparing residential density proposed by the project for Rincon Hill with residential densities in other neighborhoods of San Francisco would not be meaningful because the City's zoning districts, its *General Plan* Housing Element, and Area Plans do not call for (or encourage) similar residential densities for all areas of the City. The Rincon Hill area is one of the areas where the

City encourages high-density housing to meet housing needs. The February 10, 2003, draft of the proposed revisions to the Residence Element continues to encourage new housing adjacent to downtown in areas like Rincon Hill (Proposed Residence Element Part II: Objectives, Policies and Implementation Programs, Introduction, Initiative 2 of the five initiatives of the citywide plan). The high-density residential uses proposed by the development project would be consistent with the *Rincon Hill Area Plan* and the Rincon Hill Special Use District (SUD). A majority of the people living in the Rincon Hill residential area could conceivably be employed in downtown San Francisco, and many could easily walk or take transit to work from home.

The land use impacts analysis on pp. 75-76 of the EIR explains that the proposed residential use would be consistent with similar residential uses to the south, east and west. Therefore, the development project would further extend the Rincon Hill residential uses north of Harrison Street, as envisioned in the *Rincon Hill Area Plan*. The proposed 300 Spear Street development would have a residential density of about one unit for each 92 sq. ft. of site area or 1:92 (820 residential units on a total land area of approximately 75,625 sq. ft.). As shown in Figure 23, p. 62 of the EIR, several other similar high-rise residential developments already exist, have been recently constructed, are under construction, or are planned in the project vicinity. These residential buildings have densities similar to that of the proposed project (see p. 76). Figure 23 has been updated to show approved projects and the Transbay area; the revised figure is shown on p. 289. The Rincon Hill area is intended to provide an area with higher residential density than many residential neighborhoods further from downtown. No specific density limit is established; the amount of residential space is required to be at least six times the amount of commercial space (Rincon Hill SUD, Planning Code Section 249.1). The residential density allowed in the nearby C-3 Districts is 1 unit for each 125 square feet of site area. High-density residential districts such as RM-4 and RC-4 generally allow a residential density of 1 unit for each 200 sq. ft. of site area. Thus, while the development project density would be higher than that in most other residential neighborhoods, this greater density is acknowledged in the EIR on p. 89.

Additionally, as explained on p. 18 of the Initial Study, while potentially noticeable to immediately adjacent neighbors, the increase in numbers of residents on the project site would not substantially increase the area-wide population, and the resulting density would not exceed levels that are accepted in high-density urban areas like those in and near downtown San Francisco.

Pages 76-77 of the EIR conclude that the proposed change in land use from the existing surface parking lot to the proposed high-density residential development would constitute a substantial

intensification of land use at the development site. It would not be a significant impact because there are similar high-rise developments with comparable residential densities that already exist, are under construction, or have been recently approved near the development site, and because this portion of the Rincon Hill area is already in the process of changing from a predominantly industrial and parking district to a high-density residential district close to downtown. The EIR does address the potential impacts of the development on land use (as discussed above), traffic (pp. 110-138), light and shadow (pp. 149-158), and wind (pp. 158-168). These environmental issues are also discussed under the corresponding topics in this Comments and Responses document.

It is not expected that high-density residential buildings would create any of the security issues identified in a comment, because each project would be expected to take appropriate measures to ensure the safety of residents and other users. The Initial Study, Appendix A of the EIR, discusses Emergency Response Plans on pp. 41-42 and Fire Hazards on p. 42.

Housing Affordability

Comments

Well, one of the things that we are lacking is a housing context, in part, because we are lacking a compliant housing element which would be very valuable to have that discussion here at the Planning Commission but housing is not -- all housing is not created equal. There is needed housing in terms of the ABAG allocation to the City for affordability, and the last time there was a report for the Planning Commission which was over a year ago, on how we were doing about meeting our housing goals in one of those periodic reports . . . What you have is one of the largest areas in the City in the South of Market and you have these two EIRs. You have the mid-market rezoning EIR. You have the Transbay EIR. You have the little SUD for 4th and Fremont and another little exemption at 601 King. All of these are coming in under the rubric of affordable housing creation, mostly housing creation. We need quantitative information that tells what the housing context South of Market is. How many units were there? What was the affordability level in 1970, 1980? 1990? 2000?

South of Market historically has provided a very large resource of affordable housing and what we have is a transition in the EIRs that you have here as well as the 557 - 4th Street project to be predominantly very high-end housing.

We are in a situation where we have limited land available for housing. This is a land use issue. How much land are we developing to well above market rate housing? The entire waterfront, except for a couple of projects that were developed by Delancey Street and a couple of other nonprofits. We have created a market where if you have a million dollars to spend or ten million

dollars to spend for a condo, you are very well served but average folks aren't well served and low income people are even more poorly served. You have about two thousand units of market rate, not one affordable unit of live/work which is really housing . . . When you add up all of these rezoning areas at the same time, how much are we getting of affordable housing? . . . What are the land use implications on housing south of market? . . . *(Sue Hestor)*

As you probably know, one of the focuses that SPUR has . . . over the last several years is the housing crisis in San Francisco, the need for more housing of all kinds, both affordable and market rate. The statement made by Ms. Hestor that we've saturated the market with market rate housing we believe is incorrect, that there is plenty of capacity left and plenty of need left for housing of all income levels, you've probably read in the newspaper recently that the housing prices in the Bay Area and in San Francisco continue to rise, despite the downslide in the economy.

So, we believe that these projects are going to go a long ways toward addressing the housing need, . . . both market rate and affordable. . . *(Steve Vettel, on behalf of Jim Chappell, President of SPUR)*

. . . [O]ne of the things that came to my attention when I agreed to work. . . with this developer, is that his idea although he was building at 300 Spear in the future but he wanted to build affordable housing where there was really the need, because you talk about nonprofit organizations -- building housing in San Francisco but, in Bayview Hunters Point, that was nil. We did not get any nonprofit organization building housing out there but here comes a developer that was willing to team with our group and that was exciting to me. . . They're going to build twenty middle income housing [units] there for middle income people. . . *(Rev. Aurelious Walker, Pastor, True Hope Church)*

. . . [I]nstead of having this project have inclusionary and affordable housing, we took the affordable housing offsite and offsite we have created so far twenty, two and three-bedroom homes that will sell in San Francisco for under three hundred thousand dollars in the Bayview Hunters Point. . . [I]t is creating what we call worker housing all over our City and in places where we need new homeowners desperately. . . They went ahead with this, with approving the affordable [housing] before they even had their main project approved and let me tell you developers are watching to see if they get approved. If they get approved, you're going to find folk lining up to do this kind of housing that will provide housing in other parts of the community. . . *(Reverend Arnold Townsend)*

Then. . . you'll also deal with the other environmental issues concerning our overall need for affordable housing. . . *(Gwenyth Borden)*

Response

Pages 17-18 of the Initial Study (in Appendix A of the EIR) contain information about the number of new housing units built in the City and the Association of Bay Area Governments' (ABAG's) projected regional housing needs for San Francisco. The proposed project would help to satisfy a portion of the need for 20,372 dwelling units identified by ABAG. The Initial Study did not include any discussion about affordable housing in the City because housing affordability is a socioeconomic issue, not physical environment impact under CEQA.⁵

ABAG estimates that San Francisco's affordable housing production need based on the 1999-2006 RHND analyses is 7,370 units out of a total new housing need of 20,372 units, or about 921 new units annually until 2006. San Francisco produced a total of 177 and 121 affordable housing units in 1999 and 2000, respectively.⁶ As noted in a comment, San Francisco is lagging behind in meeting its affordable housing needs.

In order to balance the burden on property owners, the Board of Supervisors has limited application of the affordable housing requirement in Planning Code Section 315, adopted in 2002, to implement the Residence Element policies, to 10 percent for housing projects that do not receive any benefits through the conditional use or planned unit development process. A slightly higher percentage (12 percent) is applied to projects that do receive these benefits. According to Planning Code Sections 315.3(a)(2)(b) and 315.4(a)(2), development of the 300 Spear Street project is subject to conditional use approval, and therefore, it would be required to provide 12 percent affordable housing, or up to 98 affordable units. At the project applicant's election, a housing project may also satisfy the affordable housing requirements by constructing affordable units at an alternative site within the City and County of San Francisco pursuant to the requirements of Section 315.5: Compliance Through Off-Site Housing Development. According to Section 315.5(a), the number of units constructed off-site for projects subject to conditional use must be 17 percent of the total number of residential units proposed by the project.

⁵ CEQA Guidelines, Section 15131.

⁶ See February 10, 2003, draft of Proposed Housing Element Part I: Data and Needs Analysis, New Construction of Low and Moderate Income Housing, Table 1-29, New Construction of Low and Moderate Income Units, 1999-2000, p. 40.

In addition to the affordable housing requirements in the Planning Code, the Planning Department is updating its Residence Element and will address citywide affordable housing policies in that document.

The project sponsor of the 300 Spear Street development, Union Property Capital Inc., is considering fulfilling the project's affordable housing requirements by developing a number of off-site affordable housing projects pursuant to the requirements of Sections 315.3(a)(2)(b), 315.4(a)(2) and 315.5(a). Given that the 300 Spear Street project proposes to develop up to 820 market-rate residential units, its off-site affordable housing requirement could be as many as 139 units.

As noted by several commentors, the 300 Spear Street project sponsor is meeting its affordable housing requirements and has initiated construction of affordable housing units at off-site locations. The Care and Restoration Homes housing at 950 Gilman Street mentioned in several comments is one of these affordable housing developments. The development at 950 Gilman Street includes 22 single-family affordable housing units at the corner of Gilman Avenue and Aurelious Walker Drive.

Neighborhood Character

Comments

As these two projects are drastically out of proportion and character to the existing and developing neighborhood, "substantially taller and larger" is the description used in the EIR, and would severely alter and damage the existing neighborhood. . . (*Reed H. Bement*)

Those of us who now live in the neighborhood moved here on the representation of the City that the heights of buildings South of Market would gradually be scaled down from Market Street to China Basin and that no private buildings and no buildings of any sort of over 200 feet in height would be built on the sites under consideration. Over the past ten years a vibrant residential community has developed and continues to develop in the area. The neighborhood is not a "clean slate" for someone to experiment on with a design considered appropriate for an urban neighborhood. The building of downtown-sized office buildings in this area would destroy its intended and existing character. (*Reed H. Bement; petition attached to Reed H. Bement's letter; and petition submitted by residents of 461 2nd Street*)

The proposed projects are of vastly greater height and bulk than is now permitted for buildings in this area, which is becoming increasingly residential, and would result in buildings disproportionate to those which presently exist or are under construction or already approved. Buildings of 350-400 feet (35-40 stories) would be approximately twice the height or more than

what is presently allowed. (*Petition attached to Reed H. Bement's letter and petition submitted by residents of 461 2nd Street*)

Response

A detailed description of the existing neighborhood in the project vicinity is provided on pp. 59-64 of the EIR. Land uses in the project vicinity are a mix of residential, commercial, utility, and parking uses. As described on p. 60, the project site is in a transition area between high-rise office above retail uses along Howard Street and to the north, and high-rise residential above small commercial uses in the Rincon Hill area south of Folsom Street. A large portion of the Rincon Hill area is characterized by a changing urban landscape composed of surface parking lots, low- to mid-rise industrial buildings, and new and under-construction high-rise residential development.

Neighborhood-related effects of the project are discussed on pp. 75-77. According to the significance criteria for land use impacts, the project would be considered to have a significant effect on the environment if it would substantially disrupt or divide the physical arrangement of an established community, or have any substantial impact upon the existing character of the vicinity. The proposed change in land use from the existing surface parking lot to the proposed high-density residential development would constitute a substantial intensification of land use along the south side of Folsom Street, but would not constitute a significant impact on existing neighborhood character. The proposed residential use would be consistent with similar residential uses to the south, east and west. The development's neighborhood-serving commercial uses, proposed to be at the lower levels, would be similar to ground-floor neighborhood-serving commercial uses in other residential developments, such as the Bay Crest Apartments and Avalon Towers, in the Rincon Hill area. The change in land use would further the goals of the *Rincon Hill Area Plan*, which recommends that the Rincon Hill area be developed as a residential neighborhood close to downtown that contributes to the City's housing supply. The project would further extend the Rincon Hill residential uses north of Harrison Street, as envisioned in the *Rincon Hill Area Plan*.

As stated on p. 76 of the EIR, the change in land use would not be a significant impact as there are similar high-rise developments with comparable residential densities already existing, under construction, and recently approved near the development site, and because this portion of the Rincon Hill area is already in the process of transitioning from a predominantly industrial district with surface parking to a high-density residential district close to downtown. The project would continue and extend the residential community in Rincon Hill area further north. The proposed project would be compatible with existing and planned high-density residential uses in the Rincon

Hill area, and would not disrupt or divide an established community, nor would it adversely affect the existing character of the vicinity.

The residential development proposed by the project would be taller and higher in density than allowed by the current zoning controls (or by the existing P zoning) for the project area. Therefore, as stated on p. 25 of the EIR and explained in Chapter II, Project Description, pp. 25-58, Section III.A, Land Use, Zoning, and Plan Consistency, pp. 59-91, and Appendix B, Requested Amendments to Planning Code and General Plan, pp. B.1-B.19, the project includes rezoning of the project area to allow high-rise residential developments. The proposed 300 Spear Street development would be similar to and compatible with high-density residential buildings that have been built in Rincon Hill, although substantially taller, as noted in the EIR on pp. 85 and 98. Floor plates in the towers would be about 11,000 sq. ft. rather than the 18,000 sq. ft. per floor found in typical recently approved downtown office buildings such as 554 Mission Street and 555 Mission Street. Window placement and design would substantially differ from a typical office building, and the use of balconies and outdoor terraces would not be found in an office building.

The proposed project's height and scale in relation to the character of the existing and developing neighborhood are discussed in Visual Quality and Urban Design in this document on pp. 241-242.

Consistency with Plans

Comments

The Planning Department's mission is, "...the orderly and harmonious use of land, and improved quality of life for our diverse community and future generations." I am not convinced these projects support this mission. I also believe they violate several of the department's objectives for the area. [The comment letter discusses Objectives 4, 7, 9, 24 and 26; responses to these comments are presented in the topics to which the objective pertain, i.e., Shadow, Visual Quality, and Transportation.] (*Alexandria Chun*)

In the first instance, it is inappropriate to proceed with the certification process for the EIR unless and until any changes are adopted for the overall area as presently proposed by the Rincon Hill Mixed Use District plan (hereafter the "Plan"). The EIR differs from the Plan in, among other ways, by allowing greater building bulk, by authorizing less open space and by allowing double the amount of parking for residential units. As whatever action is taken on the Plan should control what is ultimately allowed on these two projects rather than the reverse, the planning process for the Plan should proceed first. (*Reed H. Bement*)

Response

The California Environmental Quality Act (CEQA), in California Public Resources Code Section 21000 *et seq.*, guides and shapes EIRs. Implementation is assisted by the State CEQA Guidelines in California Code of Regulations Title 14, Section 15000 *et seq.* According to the State CEQA Guidelines, “the purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project” (CEQA, Section 21061). The project’s impacts are discussed in Chapter III of the EIR, mitigation measures are presented in Chapter IV, and alternatives to the proposed project are evaluated in Chapter VI.

The Planning Commission and Board of Supervisors will evaluate the proposed project against the provisions of the *General Plan* (including *Rincon Hill Area Plan*) and will consider potential conflicts with the *General Plan* as part of the decision-making process (see p. 69 of the EIR). This consideration of *General Plan* objectives and policies is carried out independent of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project.

The Rincon Hill planning process began as part of the Transbay Terminal area planning in the mid-1990's with the preparation of the *Transbay 20/20 Concept Plan*. The Transbay area and Rincon Hill area were later separated for planning purposes in 2000, and the EIR process for the proposed Rincon Hill Mixed Use District (RHM) was initiated with a Notice of Preparation (NOP) on March 10, 2001.⁷ A Draft EIR has not yet been published for the RHM proposal, and the controls described in the NOP are subject to further refinement and must be considered and acted on by the Planning Commission and Board of Supervisors before the proposed amendments go into effect. A brief description of the proposed RHM is presented on p. 73 of the EIR, and the subsection Project in Context of the Proposed Rincon Hill Mixed Use District, on pp. 90-91, analyzes the proposed project in this context. As stated there, the requested rezoning is generally consistent with the goals as well as many of the controls currently proposed by the RHM. The proposed RHM, similar to the requested rezoning, is intended to stimulate additional high-density residential development in the Rincon Hill area.

⁷ See City and County of San Francisco, 2000.1081E: *Rincon Hill Mixed Use District Notice of Preparation of a Draft EIR*, March 10, 2001. The NOP includes a description of the proposed Rincon Hill Mixed Use District.

Until an EIR has been circulated for public review and certified, and public hearings have been held on the RHM proposal, no action can be taken by the City on the RHM. The RHM proposal is unlikely to be adopted before the requested rezoning and proposed 300 Spear Street development project would be expected to be considered for approval and, if approved, construction initiated. To delay action on the proposed project for an undetermined period (until the RHM is finalized and proposed amendments go into effect) would not be reasonable. CEQA does not require suspension of all permitting or development activity while areawide planning efforts are underway.

Change from P-Zoning

Comment

The EIR does not consider the impact of removing the P zoning for these sites. These sites are the only sites so zoned in the present Rincon Hill Area Plan and the impact of not having them available for parks, schools, etc. is an important consideration in dealing with these projects.
(Reed H. Bement)

Response

The effects of changing the project site from the existing P (Public) zoning to the proposed RC-4 zoning is part of the Zoning Changes discussion in the EIR on pp. 77-84. As discussed on p. 78, the high-intensity residential and commercial uses permitted in the requested RC-4 District would be different from the governmental and public uses permitted in the existing P District. Controls provided in P zoning districts apply to land owned by governmental agencies and in some form of public use, and serve a different purpose from the controls applicable in RC-4 zoning districts that are intended to provide high-density residential and supporting commercial uses. The 300 Spear Street property was formerly in public agency ownership (Caltrans ownership) but is now privately owned by Union Property Capital Inc.; therefore, P zoning for the property was appropriate while it was publicly owned but is no longer appropriate. The RC-4 District would continue and extend existing zoning adjacent to the site to the southeast and west (see EIR Figure 2, Existing Zoning Districts in the Project Vicinity, p. 30). Retaining the P designation would not make the sites requested to be rezoned available for public parks or schools. A local public agency would need to acquire the sites in order for them to be used for these public purposes.

The EIR does not analyze alternative public uses of the project site such as a public park or school, as suggested in the comment, because according to State CEQA Guidelines an EIR is required to analyze reasonable alternatives to the project that could feasibly attain most of the project sponsor's objectives for the project. Therefore, "an EIR need not consider every conceivable alternative to a project" or alternatives that are infeasible (see CEQA Guidelines, Section 15126.6(a)). Use of the site as a public park would not meet the project sponsor's objectives.

VISUAL QUALITY/URBAN DESIGN

Views

Comments

The EIR fails to reflect that these projects deviate from and conflict with the following objectives of the existing Rincon Hill Area Plan. . .

Objective 10: To preserve views of the Bay and the Bay Bridge which are among the most impressive in the region.

Objective 11: To maintain view corridors through the area by means of height and bulk controls which insure carefully spaced slender towers rather than bulky, massive buildings.

The EIR does not reflect how seriously these projects would obstruct rather than preserve views from surrounding buildings, including those already existing such as Hills Plaza, Embarcadero Lofts and Avalon Towers as well as those under construction or planned such as 333 First Street and 325 Fremont Street. In addition the views from the sidewalks and streets of the Bay Bridge and the Bay will be impeded as well as the views from the Bay Bridge. (*Reed H. Bement*)

In addition to creating a visual blight on the neighborhood, buildings of such height and bulk would severely and negatively impact the views. . . of everyone who lives, works or visits the neighborhood. . . (*Petition attached to Reed H. Bement's letter and petition submitted by residents of 461 2nd Street*)

Response

As described in the significance criteria in the EIR on p. 98, a project would have an adverse impact under CEQA on visual quality if it would cause a substantial, demonstrable negative aesthetic effect. A project would have such an effect if it were to be substantially incompatible

with the surrounding environment or substantially change important view corridors and obstruct scenic views.

The effect of the proposed project on existing view corridors in the vicinity is presented in detail in the EIR in Section III.B, Visual Quality and Urban Design. Existing views from public places in the surrounding areas such as the waterfront, Bay Bridge and its anchorage, as well as from Twin Peaks, and the effects of the proposed project on these views are discussed in the EIR on pp. 96-109. These pages include figures that compare existing views with the same views showing the proposed project. Although from moving vantage points for westbound motorists on the Bay Bridge the proposed project would alter the transitory visual relationship between the down-sloping urban form in the foreground and the natural form of the hills beyond, as discussed on pp. 107 and 109, the project would not substantially change important public view corridors or obstruct scenic views. For these reasons, the EIR concludes that the proposed project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

As discussed in the EIR on p. 104, some views of the bay would be obstructed by the proposed project. These would include some existing waterfront and Bay Bridge views from the windows of nearby private residences, such as in Avalon Towers and Embarcadero Lofts. Similarly, existing views looking towards Twin Peaks from the windows of some private residences and offices in Hills Plaza would also be obstructed. As demonstrated in Figure 27 on p. 105, some waterfront and Bay Bridge views from the windows of private residences in Embarcadero Lofts are already obscured by the Hills Plaza building. Development of the proposed project and others such as 333 First Street and 325 Fremont Street would add to this obstruction of views from private residences. Although the reduction of views would be undesirable for those affected, under CEQA this would not be considered a significant impact as would the obstruction of scenic views or vistas from public areas.

Views from the waterfront would also change as shown in Figure 25, p. 102 in the EIR. The replacement of these views would not be considered a significant visual impact under the significance criteria.

In regard to Objective 10 of the *Rincon Hill Area Plan*, the project would not substantially change important view corridors or obstruct scenic views of the Bay and Bay Bridge from public places, as explained above. Therefore, it would not conflict with Objective 10 of the *Rincon Hill Area Plan*.

In regard to Objective 11, the two towers of the 300 Spear Street development would be placed at diagonal corners of the site to create the greatest separation between towers and the mass of each tower would be reduced at the upper levels, as provided for by the requested rezoning controls and discussed on p. 99 of the EIR. Under the requested rezoning, towers would be spaced and separated by 82.5 feet, approximately the width of Folsom Street, so they would not appear crowded or bulky. This proposed separation of towers would respond to the urban design objectives in the *Rincon Hill Area Plan*, specifically Objective 11, that call for preserving Bay and the Bay Bridge views and maintaining view corridors through the area with towers designed to have slender, stepped, and tapered silhouettes. As discussed in the EIR on pp. 57-58, the project would be reviewed by the Planning Commission and the Board of Supervisors in the context of applicable objectives and policies of the *General Plan*.

Scale, Height and Bulk

Comments

. . . I also believe they [the proposed project and construction of 201 Folsom Street] violate several of the [Planning] department's objectives for the area.

Objective 7: TO ACHIEVE AN AESTHETICALLY PLEASING RESIDENTIAL COMMUNITY

The height and scale is inconsistent with the other buildings in the area and will in no way complement or enhance the aesthetics of the existing residential community. (*Alexandria Chun*)

The subjective conclusion of the EIR that the projects "would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area" is contradicted by the objective facts presented concerning the height and bulk of the buildings in the surrounding area. Indeed, at another point the EIR notes that the requested rezoning permits "substantially taller and larger buildings" than are presently allowed and presently exist. The conclusion reached is, therefore, inaccurate.

This inconsistency also exists with the subjective conclusion that the proposed buildings create "continuity with the nearby existing and future buildings." To the contrary, the proposed buildings are double (or sometimes quadruple) the height of the nearby existing and proposed buildings.

Finally, in this regard, the subjective conclusion that the projects would not "result in significant adverse impacts on visual quality and urban design" is contradicted by the immediately preceding, and accurate, observation that the proposed buildings "would dramatically change the

visual character of the site and vicinity and would not conform to the existing pattern of heights” in the area. (*Reed H. Bement*)

...[T]his type of large building, would be the largest building down on this side and it would be interfering with other nice housing units that have been set up there. ...[A]nd it’s sitting right across from the north that large Market Street financial development which has some about... thirty or forty-story buildings up there which I think would have a potential for disturbing dwelling units in this particular area. ... (*Roger Brandon*)

I’m opposed to these two projects not because they are residential, retail mixed use projects, but because of their height and I think the height issues. ... (*Judith Patterson*)

Response

As stated in the EIR on p. 98, the proposed development project would increase the scale of development on the site from a paved surface parking lot to towers of 400 feet and 350 feet. Several high-rise buildings have been built recently or are under construction in the Rincon Hill area in the vicinity, including the 19-story Avalon Towers, the 26-story residential building at 400 Beale Street, and the high-rise building under construction at 333 First Street. This project would continue that trend. As discussed on p. 104 of the EIR, even though the project’s residential towers would be taller than existing buildings in the surrounding Rincon Hill area, they would be the same height as or shorter than most high-rise office towers in the downtown area north of Folsom Street.

The Setting discussion in the EIR on pp. 92-93 explains that the immediate project vicinity is not characterized by a great degree of visual coherence. Large expanses of vacant land, including the project site, in close proximity to the dense downtown core characterize much of the immediate vicinity. Intervening between the immediate vicinity and the downtown to the north is a mostly vacant east-west strip of land. Building heights along the southern edge of the downtown high-rise urban form (north of the project site) tend to drop off abruptly. As concluded in the EIR on pp. 107-108, the project would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area. The project vicinity is not characterized by an established, cohesive, distinctive or fragile visual character that would be degraded by the proposed project. The proposed development project would be stepping up from existing buildings of varying height and bulk in the Rincon Hill area but it would not entail the demolition of any historic, visual or open space resource. The proposed 300 Spear Street building would include features that are intended to enhance the pedestrian environment, convey a sense of human scale and visual interest at street level, and

create continuity with nearby existing and future buildings. For these reasons, although the proposed building would dramatically change the existing visual character of the site and vicinity, and would alter the existing pattern of heights at this southern periphery of the downtown high-rise urban form, the proposed rezoning and development project would not result in significant adverse impacts on visual quality and urban design in San Francisco.

Rincon Hill Topography

Comments

. . .I also believe they [the 300 Spear Street and 201 Folsom Street projects] violate several of the [Planning] department's objectives for the area. . .

Objective 9: TO RESPECT THE NATURAL TOPOGRAPHY OF THE HILL AND FOLLOW THE POLICIES ALREADY ESTABLISHED IN THE URBAN DESIGN ELEMENT WHICH RESTRICT HEIGHT NEAR THE WATER AND ALLOW INCREASED HEIGHT ON THE TOP OF HILLS

The rezoning along with height and bulk changes proposed is not on the top of the hill and may very well dwarf the existing structures on the top of Rincon Hill. (*Alexandria Chun*)

The EIR fails to reflect that these projects deviate from and conflict with the following objectives of the existing Rincon Hill Area Plan. . .

Objective 9: To respect the natural topography of the hill and follow the policies already established in the Urban Design Element that restrict height near the water and allow increased height on the tops of hills.

The proposed projects would require a reversal of this policy by placing the tallest buildings closest to the Bay. That this reversal is inherent in these projects is ignored in the EIR. (*Reed H. Bement*)

I would like to pinpoint an additional crucial item. San Francisco is a unique city, and our waterfront is precious. To change current zoning to permit height restriction increases would be disastrous, and compromise the integrity of the waterfront. The existing guidelines were established to preserve our waterfront and surrounding areas. (*Bobbie Carter*)

I'm very concerned about the topography and how projects of this size much greater in magnitude, the height restrictions were placed there for a purpose and we look at violating this residential mixed use community by extending these height restrictions not just minimal increases, but totally out of proportion to anything in the City. (*Bobbie Carter*)

Response

According to CEQA, “the purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment” (CEQA, Section 21061). Accordingly, the visual analysis considers the implications of the requested height limit change from 105, 150 and 200 feet to 300-foot and 400-foot height limits. In the project vicinity the transition from inland to the waterfront is marked by a gradual stepping down of heights, as is recommended by the *Rincon Hill Area Plan* and the Urban Design Element of the *General Plan* to allow views of the Pacific Ocean and the Bay (see pp. 92-93 of the EIR). Nearby waterfront buildings incorporate a staggered design and are set back from the waterfront above the building base and at the upper levels. This design approach acknowledges the meeting of land and water while respecting the natural topography of the area; reduces the appearance of a towering street wall; and helps maintain a pedestrian-friendly environment close to the waterfront. This design approach acknowledges the meeting of land and water while respecting the natural topography of the area; reduces the appearance of a towering street wall; and helps maintain a pedestrian-friendly environment close to the waterfront.

Objective 9 and Urban Design Element policies call for restricting height near the waterfront and allowing increased height on top of hills, thereby respecting the City’s natural topography. The requested height and bulk changes proposed would not be on the top of Rincon Hill. As noted on p. 97, the north side of Folsom Street in the project vicinity is characterized by a combination of large parking lots and buildings that get progressively taller towards the east before stepping down in height near the waterfront. The project would not conform to this general pattern evident to the north of the development site, which is characterized by a gradual stepping down of building heights eastward to The Embarcadero and the water’s edge. Rather, the proposed development would increase in height towards the water as its eastern Spear Street tower is the taller of the two proposed towers. However, within the parameters of its own building design, the proposed development project would respond to these policies by reducing the mass of each tower at the upper levels to produce slender, stepped, and tapered silhouettes. For this reason, a change in current zoning to allow increased height would not compromise the integrity of the waterfront and surrounding areas.

The project’s 350- to 400-foot height would be consistent with development that is envisioned and anticipated in the nearby area. As discussed on p. 90, the requested rezoning includes the same height limits as the proposed Rincon Hill Mixed Use District (RHM), currently being refined by the Planning Department. The intent of the proposed RHM is to stimulate additional

high-density residential development in the Rincon Hill area. The proposed RHM would increase building height limits from the 84- to 250-foot range to a range of 84 to 400 feet. Likewise, as noted on p. 107, heights within the immediately adjacent area to the north of the project site could increase if the proposed Transbay Redevelopment Project Area is approved and implemented. Under the alternatives analyzed in the *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR*, published in October 2002, the height limits in the vacant areas across Folsom Street immediately northwest of the requested rezoning area would be increased from their current 80 feet to 350 to 400 feet, then would step down to 200 or 250 feet east of Main Street and north of Folsom Street. If development were to take place as envisioned by the proposed RHM and Transbay Redevelopment Project, the southern edge of the downtown high-rise core would shift southward over time. Seen in this context, development in the area requested to be rezoned would be set among other high-rises of similar height at the southern periphery of the downtown high-rise core.

The Planning Commission and Board of Supervisors will evaluate the proposed project against the provisions of the *General Plan* (including the *Rincon Hill Area Plan*) and will consider potential conflicts with the *General Plan* as part of the decision-making process (see p. 69). The consideration of *General Plan* objectives and policies is carried out independent of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project, and would not alter the conclusions regarding the environmental effects of the proposed project analyzed in this EIR.

Views of the EIR Alternatives

Comments

Impacts: We would request that the three alternatives B, C & D have the inclusion of massing models and/or photo simulations so as to assess the impact of the designs of each on public views. We also request that the EIR should include massing models and/or photo simulations for the currently allowable height limits and density requirements for the site. Comparison of these with the massing model/photo simulations of the B, C & D Alternatives will provide for a more complete assessment of the impacts on public views for each and provide for a more thoughtful analysis of the alternatives to the proposed projects. (*Andrew Phipps Brooks, General Manager, BayCrest Towers, on behalf of the BayCrest Towers Residential Association*)

This proposal lacks an intelligent sense of scale and would concentrate too many dwelling units in one place. . . But why did they not think of a building standing 10 or twelve stories high. (*Lloyd Schloegel*)

Response

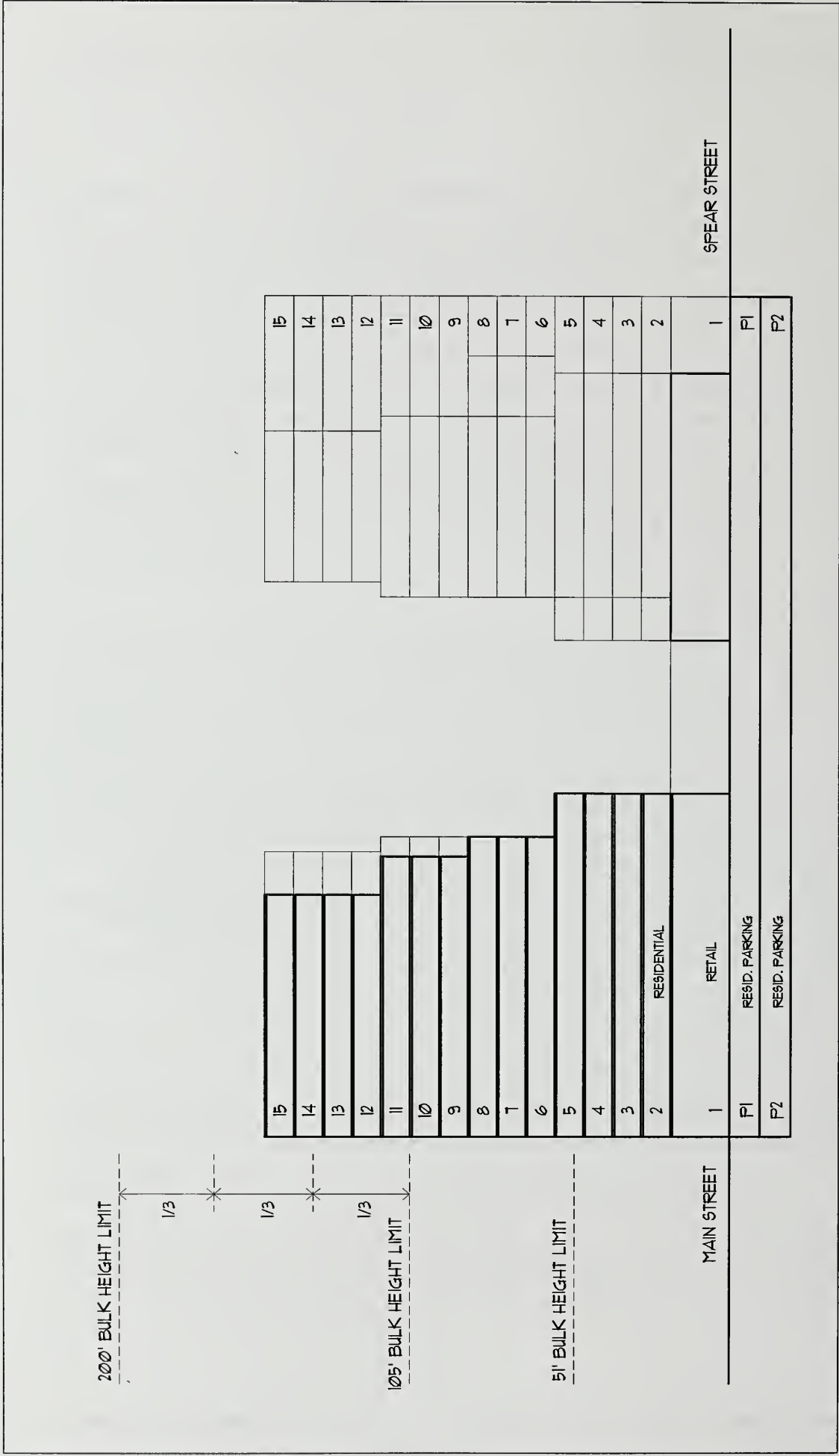
In response to the commentor's request for additional figures to assess the visual impact of the alternatives, an additional section for Alternative B is provided. This figure is added to the EIR as Figure 36a: Alternative B Section, and is shown on p. 246. Photo simulations of Alternatives B, C and D are also provided on the following pages to assist the reader (see Figure C&R-A: Alternative B Views; Figure C&R-B: Alternative C Views; and Figure C&R-C: Alternative D Views). The visual impacts of Alternatives B, C, and D are discussed on pp. 186, 188, and 194 of the EIR, respectively. The commentor further requests massing models and/or photo simulations to illustrate the currently allowable height and bulk limits for the site. Since Alternatives B and C reflect development conforming to existing height and bulk restrictions, this request is met in Figures C&R-A and C&R-B.

TRANSPORTATION**Traffic*****Comment***

Our primary concern with this project is the potential traffic impact it may have to State transportation facilities, namely Interstate 80 (I-80) and its on-ramps and off-ramps. In the Summary section of the DEIR (page 8) where traffic mitigation is addressed, we question statements such as, "The (traffic) impacts would be significant and unmitigable." The DEIR should address all possible mitigation measures, including impact fees. To state that the project sponsor "may" be requested to contribute to a new Integrated Transportation Management System (ITMS) undermines the need to relate all traffic impacts with appropriate mitigation. *(Timothy S. Sable, District Branch Chief, IGR/CEQA, Department of Transportation)*

Response

Traffic impacts from the development project and in combination with other projected growth in the City and the region are discussed in Section III.C, Transportation, pp. 110-138 in the EIR. The impact analysis includes a discussion of intersections leading to freeway ramps in the project study area. The results of the traffic impacts analysis show that traffic from the development project would cause the service level at two intersections, Fremont and Harrison Streets and Main and Harrison Streets, to degrade from acceptable to LOS E or F, unacceptable conditions (see p. 124 and Table 4, p. 125). Thus, the project would cause significant traffic impacts.



SOURCE: Heller•Manus and Tumstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE 36a (NEW): ALTERNATIVE B SECTION



B.1: LOOKING NORTH ON SPEAR STREET

SOURCE: Heller-Manus and Tumalione Consulting

300 SPEAR STREET

2000 1000E



B.2: LOOKING EAST ON FOLSOM STREET

PROJECT ALTERNATIVE B
MAIN STREET TOWER
(in background)

333 FIRST STREET
(under construction)

FIGURE C&R-A: ALTERNATIVE B VIEWS



B.1: LOOKING NORTH ON SPEAR STREET

SOURCE: HellerManus and Turnstone Consulting



B.2: LOOKING EAST ON FOLSOM STREET

↑ PROJECT ALTERNATIVE C
MAIN STREET TOWER
(in background)

↑ 333 FIRST STREET
(under construction)



201 FOLSOM STREET
ALTERNATIVE D

PROJECT ALTERNATIVE D
MAIN STREET TOWER

PROJECT ALTERNATIVE D
SPEAR STREET TOWER

D.1: LOOKING NORTH ON SPEAR STREET

SOURCE: Heller-Manus and Turnstone Consulting

300 SPEAR STREET

2000 10000



PROJECT ALTERNATIVE D
MAIN STREET TOWER
(behind 201 Folsom Street Alternative D)

201 FOLSOM STREET
ALTERNATIVE D
(behind PG&E substation)

333 FIRST STREET
(under construction)

D.2: LOOKING EAST ON FOLSOM STREET

FIGURE C&R-C: ALTERNATIVE D VIEWS

Chapter IV, Mitigation Measures, discusses mitigation measures for traffic impacts on pp. 172-173 of the EIR. Mitigation measures that would reduce the project-specific traffic impacts to less-than-significant levels would involve widening intersections at locations that are completely developed with buildings at all corners, as explained on p. 172 of the EIR. San Francisco is a dense urban area, and nearby freeway/bridge access ramps are in some of the most dense development in the City. Measures requiring acquisition of private property and demolition of actively used structures were not identified as traffic mitigation measures in the EIR because they were considered to be infeasible.

The transportation mitigation measure calling for contribution to the Integrated Transportation Management System (pp. 13 and 173) does not “require” contribution because an EIR is not the decision-making document. An EIR is an informational document provided to the public and decision-makers to use as part of the basis for decisions on a proposed project. As explained in the EIR, the City could require that the project sponsor participate in the ITMS as a condition of approval. As required in the CEQA Guidelines (Section 15126.4(a)(1)(A)), the EIR distinguishes between mitigation measures included in the project and those that could reduce otherwise significant impacts but are not included in the project. Contribution to the ITMS is not one of the mitigation measures included in the project. With this measure identified, the EIR fully addresses feasible transportation mitigation measures. The City decision-makers will determine whether mitigation measures identified in the EIR and not included in the project should be imposed as conditions of approval.

Comments

The EIR indicates that full build-out of the two projects would negatively impact three traffic intersections. However, since the scale ends at delays longer than 60 seconds, it is not clear just how severely these three intersections will be affected. Will it be two, three or twenty minutes? Hours? I also find it misleading, to identify just the three intersections that will fall into the F level as significant. With these projects, a total of EIGHT intersections will fall into the E or F level (undesirable and unacceptable, respectively).

What about those intersections that are currently rated F? It is not clear how long the current delays are and how much longer the delays will become. Just how many F rated intersections can we really tolerate in this area before it becomes a crisis and how many more F rated intersections will there be if we take into consideration the other proposed or approved projects like 333 First Street? (*Alexandria Chun*)

The Draft Environmental Impact Reports for 300 Spear and 201 Folsom, respectively, admit that these projects will negatively impact three traffic intersections; when, in fact, eight will be impacted. (*Patricia J. Fodor*)

Although the EIR does recognize that the two projects will have a significant adverse impact on the traffic at three intersections, it does not discuss the increased traffic delays upon the existing intersection with unacceptable conditions. . . (*Reed H. Bement*)

Response

The San Francisco Planning Department has developed significance criteria, presented in the *Interim Transportation Impact Analysis Guidelines*, January 2000 (referred to in the EIR as *SF Guidelines*), for the determination of traffic impacts associated with a project. First, a project would be considered to have a significant impact if it would cause an intersection to worsen from LOS D or better to LOS E or F, or from LOS E to LOS F. Second, for an intersection that already operates at LOS E or F, the project may have a significant adverse impact depending upon the magnitude of the project's contribution to the worsening of delay (see EIR p. 120).

Based on these criteria, development under the requested rezoning would have a significant impact at the three intersections where the level of service would worsen to LOS E or F with the project (see EIR p. 131). At the five intersections that already operate at LOS E or F under Existing conditions, an analysis was performed on the project's contribution to the poor operating conditions. Overall, the Planning Department determined that the project-generated traffic would not represent a considerable contribution to conditions at these intersections, and development under the requested rezoning would not have a significant cumulative traffic impact at these locations (see EIR pp. 136-137).

The intersection operating conditions were evaluated using the *Highway Capacity Manual, 1994 Update* methodology. This methodology was developed to determine the average vehicle delay for under-saturated conditions (i.e., LOS A through E, or delays less than 60 seconds per vehicle). Although average vehicle delays for over-saturated conditions can be calculated, the results tend to overestimate delay and may not accurately reflect actual conditions. As such, delays of greater than 60 seconds per vehicle are typically not reported. In general, the additional delay at these intersections due to the vehicles generated by development under the requested rezoning would be minimal. In addition, it was found that development under the requested rezoning would generally add traffic to intersection movements that do not operate poorly.

To isolate the impacts directly related to a project, analyses of Existing and Existing-plus-Project scenarios are conducted. Separate future traffic and transit conditions were developed to address cumulative impacts. See the Response under Cumulative Impacts Issues, starting on p. 287, for additional discussion of this topic.

Comment

. . .I also believe they violate several of the [Planning] department's objectives for the area. . .

Objective 26: TO REDUCE CONGESTION AT BRIDGE RAMPS BY IMPROVING LOADING PATTERNS

According to the EIR, the project will create more traffic congestion at three intersections.
(*Alexandria Chun*)

Response

Objective 26, listed on EIR p. 72, is discussed on p. II.3.17 in the *Rincon Hill Area Plan* under Improving Bridge Ramp Flow. That discussion explains that the traffic congestion at the First and Harrison Streets intersection is related in part to the confluence with the bus ramps from the Transbay Terminal, and recommends changes to traffic patterns on the bus and car ramps to improve flows. Thus, the objective is related to loading traffic onto the Bridge. It does not relate to traffic patterns on the streets immediately adjacent to the project site. The First and Harrison Streets intersection was included in the project and cumulative analyses in the EIR (see Table 4, p. 125, and Table 5, p. 135). Traffic generated by the proposed development project would not cause project-specific impacts at the First and Harrison Streets intersection (p. 124) and would not contribute considerably to significant cumulative impacts at that intersection (p. 136).

Comments

. . .[B]uildings of such height and bulk would severely and negatively impact the views, light and sun of everyone who lives, works or visits the neighborhood as well as adversely effecting the already difficult parking and traffic conditions. (*Petition attached to Reed H. Bement's letter and petition submitted by residents of 461 2nd Street*)

. . .[T]he EIR and the report does not address what sixteen hundred units will do to the neighborhood. . . It is quite an addition to that neighborhood and there are traffic issues. . . that are not complete in the EIR. (*Judith Patterson*)

I think it would be irresponsible to act upon an impact study that was done not considering issues that were reported in the study to be not applicable. Some of these were traffic issues. I know that, depending on the hour of day, it's virtually impossible for me at this stage to exit my residence. . . I think that the traffic and parking needs to be addressed. (*Bobby Carter*)

. . .[Y]ou'll also deal with the other environmental issues concerning our overall need for. . . reducing traffic congestion. (*Gwenyth Borden*)

The traffic congestion and erosion of quality of life are my main concern. (*Ted Soderberg*)

Response

Traffic congestion and parking shortfalls are discussed in the EIR in Section III.C, Transportation, pp. 110-138. This discussion summarizes a more detailed report on transportation conditions and impacts that is cited in the EIR: *300 Spear Street/201 Folsom Street Transportation Study—Final Report*, January 31, 2002. As noted on p. 110, that report is available for public review, by appointment, at Planning Department offices. The impact of project-generated traffic is discussed on pp. 124-125 of the EIR, and the impact of project-generated parking shortfalls is discussed on pp. 124 and 126. Impacts of both the 300 Spear Street project and the proposed development at 201 Folsom Street are summarized on pp. 130-132. The traffic impact of the project in combination with future growth in the area, the rest of the City and the region, is analyzed on pp. 132-138, under 2020 Cumulative Conditions.

Thus, the EIR provides a complete analysis of the potential traffic and parking impacts from the proposed project. Visual quality issues are addressed under Visual Quality, and light and sun issues are addressed under Shadows in this Comments and Responses document.

Comment

C. Transportation Study Area: The study area to the South ends at Bryant. By not going further South we believe a potential for problems exist without the inclusion of the Pier 30 & 32 Mixed-Use Project and the PacBell Ball Park impact of 80 games per year. These overlapping, in some cases, impacts should also include not only weekday but weekend and night games. . .

B. Alternative B: No Traffic Impacts: We request that the aforementioned comments relate and be revised to pertain to Alternative B.

C. Alternative C: Existing Height and Bulk Controls: We request that the aforementioned comments relate and be revised to pertain to Alternative C.

D. Alternative D: Reduced Development Under Requested Rezoning: We request that the aforementioned comments relate and be revised to pertain to Alternative D. (*Andrew Phipps Brooks, General Manager, BayCrest Towers, on behalf of the BayCrest Towers Residential Association*)

Response

The study area for the project includes a general two-block radius from the project site. This is the Planning Department's standard approach, as the effects associated with a project tend to disperse beyond this distance from the project site. For instance, residents typically park within a two-block radius of their building. Thus, any effects outside the study area would be reduced, and the study area is sufficient to identify the impacts of the project.

The transportation analyses for the project and the nearby Pier 30/32 project were specifically coordinated to ensure that results of both analyses would be compatible. The Pier 30/32 Cruise Terminal project was included in the analysis of 2020 Cumulative conditions, along with other growth in the City and the region. The analysis of future cumulative traffic conditions was carried out over a wider area than the project-specific traffic analysis. This study area has 27 intersections, including The Embarcadero at Bryant and Harrison Streets and four additional intersections along Bryant Street in the vicinity of Piers 30-32 (see Table 5, p. 135). The Embarcadero provides access to Piers 30-32 and analysis of its intersections with Bryant and Harrison Streets accounts for potential traffic from development proposed there that could interact measurably with traffic from the proposed project.

Traffic and transit analyses are focused on the weekday p.m. peak hour, as this time period typically has the highest volumes/ridership. In addition, parking analyses are focused on the weekday midday and evening periods, as these time periods typically have the highest worker and residential parking demand, respectively. In general, Giants gameday conditions do not represent typical traffic and transit conditions, and therefore were not assessed for this project. According to the *San Francisco Giants Ballpark at China Basin FEIR* (certified June 1997), the approximate distribution of baseball games throughout the regular season (81 games) would be 13 weekday afternoon games, 42 weekday night games, and 26 weekend afternoon games. In the upcoming 2003 season, the Giants will play 81 regular-season home games, including 9 weekday day games, 45 weekday evening/night games and 27 weekend games. Thus, if ballpark traffic would affect intersections near the 300 Spear Street project site, the effects would not occur on a regular basis, and generally would not occur at the same time as peak traffic from the project.

The transportation impacts of Alternatives B, C and D would be substantially less than those described for the proposed project, as explained on EIR pp. 186, 191 and 194. Therefore, the explanation above related to the project would also apply to these alternatives.

Comment

Intersection Operating Conditions: It is our understanding that intersection LOS were established with Beale Street in its current status, of being closed under the I80/Bay Bridge, this status will change eventually and we would ask for a revised LOS be prepared. This would show Beale Street open to thru traffic, one-way from Howard to Bryant Street as the designated Car-Pool Lane from the Financial District (3pm to 7pm M-F) to the lower deck of the Bay Bridge.

This on-going closure has put an undue strain on Main Street for both vehicle and pedestrian traffic. We believe significant impacts to both occur on Main especially from Harrison North on Main for at least 1 block. Mitigation in this area will be critical. . .

B. Alternative B: No Traffic Impacts: We request that the aforementioned comments relate and be revised to pertain to Alternative B.

C. Alternative C: Existing Height and Bulk Controls: We request that the aforementioned comments relate and be revised to pertain to Alternative C.

D. Alternative D: Reduced Development Under Requested Rezoning: We request that the aforementioned comments relate and be revised to pertain to Alternative D. (*Andrew Phipps Brooks, General Manager, BayCrest Towers, on behalf of the BayCrest Towers Residential Association*)

Response

The intersection turning movement volumes were counted prior to the closure of Beale Street under the Bay Bridge/I-80. Therefore, the intersection operating conditions under the Existing scenario reflect conditions when Beale Street is open. This configuration of Beale Street was retained for all other analysis scenarios. While Main Street currently carries additional traffic due to the temporary closure of Beale Street under the Bridge, in general it is not expected to be operating at unacceptable levels. With traffic from the proposed project, the Main/Harrison Streets intersection would operate at an unacceptable LOS E under the same assumptions (see EIR pp. 124-125) and the project would result in a significant traffic impact at that intersection, identified in the EIR as a significant unavoidable impact (p. 181).

As traffic generated by development in Alternatives B, C, and D would be substantially less than that from the proposed project, none of the alternatives would result in significant traffic impacts greater than those identified for the development project; in general, the alternatives would substantially reduce traffic impacts compared to the proposed development project.

Comment

Tables 4 & 5: The intersections of both Bryant/Main and Bryant/Beale have recently been signalized and the data should be adjusted accordingly. . .

B. Alternative B: No Traffic Impacts: We request that the aforementioned comments relate and be revised to pertain to Alternative B.

C. Alternative C: Existing Height and Bulk Controls: We request that the aforementioned comments relate and be revised to pertain to Alternative C.

D. Alternative D: Reduced Development Under Requested Rezoning: We request that the aforementioned comments relate and be revised to pertain to Alternative D. (*Andrew Phipps Brooks, General Manager, BayCrest Towers, on behalf of the BayCrest Towers Residential Association*)

Response

The Transportation Study accounts for the fact that the intersections of Bryant and Main Streets and Bryant and Beale Streets were planned for signalization by the end of 2001.⁸ The EIR also notes this change on p. 134. Because the transportation analysis was completed prior to signalization of these intersections, the Existing-plus-Project scenario was assessed with those intersections in their then-current configurations with four-way stop controls. The future cumulative conditions adjusted the traffic model to account for the new signals at these two intersections. Therefore, the traffic impacts analysis in the 2020 Cumulative Conditions discussion on EIR pp. 132-136 includes signalization of the Bryant/Main Streets and Bryant/Beale Streets intersections (see, for example, note 2 to EIR Table 5, p. 135).

Because each of the alternatives would generate fewer person trips and vehicle trips than the proposed project, traffic impacts of these alternatives at the Bryant/Beale and Bryant/Main Streets intersections would be less than those identified in Table 5, p. 135, for the proposed development project. No additional analysis is necessary for the alternatives.

⁸ 300 Spear Street/201 Folsom Street Transportation Study, January 31, 2002, p. 4-43.

Transit***Comment***

Muni utilizes a cumulative approach whereby 63 passengers equals one coach of demand with the system assumed at capacity. The project will generate 220 new outbound PM peak trips, this equates to 3.5 coaches of demand. The residential work trips are generally considered mitigated at the office end of the trip. (*James D. Lowé, Transit Planner, Muni*)

Response

There are several Muni route choices available for project transit riders. For example, the 1-California and the 41-Union trolley bus lines both stop within two blocks of the project site, and both carry passengers north on Main Street across Market Street to Sacramento and Sansome Streets, where the 41 turns onto Sansome Street while the 1 continues west on Sacramento Street. Thus, riders destined to a location near Sacramento and Sansome Street are likely to use whichever bus arrives first at the Main and Howard Streets intersection. At a larger scale, there are parallel routes throughout the City, such as the 15-Third/Kearny and the 30-Stockton, which have the same or parallel routes from the Caltrain Terminal at Fourth and Townsend Streets to Market Street and through Chinatown where the two routes run about two blocks apart to Union Street at Washington Square in North Beach. For regional travel there is sometimes more than one transit choice available as well; for example, some East Bay commuters can choose between AC Transit buses or BART service.

Therefore, the analysis of impacts to Muni and regional transit service uses a screenline approach, describing travel to and from the greater downtown area, as explained on EIR p. 118. This approach accounts for the multiple opportunities provided by the Muni route system. Because riders can often choose from among several routes, and because ridership is spread out over the p.m. peak period, the EIR does not assume that transit trip generation would result in the majority of riders attempting to crowd onto a small number of coaches, and thus does not equate the number of riders generated to a number of buses needed. As noted on EIR p. 124, the four Muni screenlines and three regional screenlines would continue to operate within their respective capacity utilization and load factor standards.

Comment

The office portion of the project is subject to the Transit Impact Development Fee (TIDF), this will mitigate the impact of the new office-generated trips. (*James D. Lowé, Transit Planner, Muni*)

Response

The comment is correct that new office space over 25,000 gross square feet constructed in the greater downtown area is subject to the Transit Impact Development Fee established in City Ordinance #224-81. The TIDF is required by local ordinance, and thus is not a mitigation measure but a statutory measure. As the proposed development project would not cause significant impacts to Muni transit service, mitigation measures are not required to be identified.

Comment

The 300 Spear Street DEIR acknowledges the relocation of bus stops along the entire Folsom Street frontage (pg. 129), between Main and Spear Streets, during the project's construction. The District appreciates the acknowledgment and the contractor's initiative in coordinating the possible relocation of the bus stops with the District and San Francisco Department of Parking and Traffic. The suggested relocation of these bus stops would require substantial scrutiny and analysis since this critical facility has significant operational and financial impacts on regional transit services between San Francisco and North Bay counties. GGT buses use the stops as layover stops for basic service Routes 10, 20, 50, 60, 70, and 80 that provide regional transit services for more than four million patrons per year.

District has concerns about the nature of the suggested relocation of bus stops along the Folsom Street frontage of the 300 Spear Street project between Main and Spear streets. Given the critical role of GGT transit service at those stops, District recommends mitigation for the relocation of these stops to be included as part of the project's Final EIR if the relocation would be on a permanent basis. District is also interested in the opportunity to provide regional transit services to the new residents who will live in the development. (*Alan R. Zahradnik, Planning Director, Golden Gate Bridge, Highway & Transportation District*)

Response

The comment is correct in that the EIR acknowledges the need to relocate Golden Gate Transit bus stops from Folsom Street during the 36- to 48-month construction period. The project sponsor, construction contractor(s), the San Francisco Department of Parking and Traffic, and Golden Gate Transit would coordinate to determine the best location to temporarily relocate the bus stops during the construction duration. No plans have been proposed to permanently relocate

these bus stops, although this may be the result of discussions between City agencies and the District. Temporary or permanent relocation of the bus stops to a nearby site would not constitute a significant environmental impact requiring identification of mitigation measures.

The Transportation Study for the project determined that eight p.m. peak hour transit trips from the development project would use Golden Gate Transit facilities. Thus, it is expected that some residents and/or employees on the project site would use the District's service.

Comments

I wanted to mention that it seems that the EIR document does not address some of the previous uses of this property, and ask the Commission to consider that the sub-surface parking requirement be amended to take into account the need for bus storage and maintenance for Golden Gate and AC Transit for the Transbay Terminal. This would be a way that diesel bus parking exhaust and noise could be appropriately filtered and traffic-wise because these properties are much closer to the Transbay Terminal than where this functionality is projected in the Transbay EIR. It would function much better. (*Elizabeth Carney*)

A question I guess on what would happen to AC Transit, the bus, that lot on which side they are located now, where would they move? And would that bring about an impact on the amount of diesel exhaust in that area? I don't know if you have that information or not. If not. . . (*Commissioner William Lee*)

Response

The 300 Spear Street site was formerly used as a bus layover parking lot for Golden Gate Transit buses when the site was owned by Caltrans (see note 2, EIR p. 25). In 2000, the Golden Gate Transit buses were relocated to a new parking facility a few blocks away and the project site is no longer in public ownership. The project site has never accommodated AC Transit bus parking. Any localized diesel emissions that may have been generated by the Golden Gate Transit buses formerly parked on the 300 Spear Street site have been relocated to the new bus parking site.

The *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR* identifies a storage area for AC Transit buses on Caltrans-owned property under the Bay Bridge approaches between Second and Fourth Streets (p. 2-12 of that DEIS/DEIR) as part of the Transbay Terminal West Ramp Alternative. The Transbay Terminal project is not directly related to the proposed 300 Spear Street project; the proposed development at 300 Spear Street would not affect implementation of any Transbay Terminal alternative.

Adding subsurface parking for AC Transit bus storage to the project, as suggested in one comment, would establish a public use on a privately owned site, and could not be required by City decision-makers, although the property owner could choose to lease a portion of the site to AC Transit.

Parking

Comment

... I also believe they violate several of the [Planning] department's objectives for the area. . .

Objective 24: TO PROVIDE SUFFICIENT OFF STREET PARKING SPACE FOR RESIDENTS

According to the EIR, there will be fewer parking spaces available to the public than currently exists. (*Alexandria Chun*)

Response

Objective 24 is discussed in the *Rincon Hill Area Plan* on pp. II.3.16-II.3.17. That discussion includes design guidelines for providing parking for residents that is screened from view, and calls for reduced parking requirements for office uses. As stated in the Plan, "the proximity to downtown and proposed new transit make it possible to limit residential parking to one space per unit" (p. III.3.16). The development project proposes to provide one parking space for each residential unit, in compliance with this provision of the Plan. Planning Code Section 249.1(c)(5) permits no more than one parking space per residential unit, and the requested rezoning would not change this existing Planning Code requirement. Thus, the proposed development project would comply with *Rincon Hill Area Plan* Objective 24 and Planning Code parking requirements.

Comments

The EIR also fails to discuss the impact of the additional loss of parking (some 14% of available) which will result from the Transbay Terminal Project. (*Reed H. Bement*)

I don't think that issues such as the parking and ballpark location and how that has affected residents in the area has been adequately addressed and how a project of sixteen hundred units, residential units, would impact this area. (*Bobby Carter*)

I am writing in support of maintaining the current 1:1 off-street minimum parking requirement for the proposed residential development projects at 300 Spear Street and 201 Folsom Street. I understand that the San Francisco Planning Department is considering applying a maximum parking requirement which is less than the current 1:1 minimum, resulting in less than one parking space per unit for both projects. As a resident of the neighborhood and a resident of a nearby high-rise, mixed-use building, I believe that this would be a mistake. . .

Finally, I myself live in a high-rise building similar to the two under consideration. Each unit in our building has access to one parking space. I own an automobile that I keep there. But because of the transportation options available to me (including walking to work) I use my car almost exclusively on weekends for trips that would be difficult if not impossible by other means. And I know that my situation is typical of many if not most of the residents of the other 232 units in our building. The idea that residents will eschew public transit for automobiles by virtue of having unrestricted access to an automobile is wrong. (*Peter Hartman*)

Response

At the time the analysis for the proposed development project and requested rezoning was conducted, the development plan for the Transbay Terminal project area was not publicly available. The *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR* was published and circulated for public review on October 4, 2002, three weeks after the Draft EIR for the 300 Spear Street project was published. Therefore, an analysis of the parking conditions with the proposed project plus development in the Transbay Terminal area could not be conducted.

The Transbay Terminal/Caltrain Extension project and the Redevelopment Area Plan remain in planning stages, and a development program has not yet been established for the Redevelopment Area. A certification date for the EIS/EIR has not been established. Therefore, it is not known how much of the existing parking in the area would be eliminated and how much would be replaced on each block, or when new development might occur once the Redevelopment Area Plan is adopted and Transbay Terminal project plans are finalized. As noted in the *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR*, although some existing parking spaces would be eliminated, new land uses in the Transbay Terminal Redevelopment Area would include their own parking facilities (pp. 5-126 to 5-127 of that DEIS/DEIR). However, it is anticipated that development of the Transbay Terminal project and buildout of the Redevelopment Area Plan could result in a parking shortfall throughout the study area. The potential parking shortfall is not identified as a significant environmental impact (p. 5-127 of that DEIS/DEIR).

Because there are no specific development plans for the Transbay Terminal Redevelopment Area, it is not possible to conduct a quantitative evaluation of changes in parking availability in the future with development of the proposed projects at 300 Spear Street and 201 Folsom Street in the context of new development that may occur in the Transbay area. The project's parking demand would result in increases in off-street parking occupancies in the study area to over 100 percent during the midday peak parking period. The parking shortfall during the evening hours could be met by on-street and off-street parking that is currently available within walking distance of the project site. With parking facilities operating at or near 100 percent of capacity, it would be difficult for drivers to find parking in the study area. As a result, drivers may park outside the study area (either on-street or at an off-street facility), or may switch to transit, carpool, bicycle or other forms of travel during the daytime travel periods, as explained on EIR p. 126. In addition, the project sponsor is considering means to reduce the project's parking shortfall, including coordinating with City CarShare and providing transit information (see EIR p. 179). In general, as noted in the *Transbay Terminal Draft EIS/EIR*, parking shortfalls would not be expected to be a significant impact, particularly in an area that is well-served by transit. In addition, providing up to 1,640 residential units within walking distance of much of the greater downtown could reduce commuter traffic and encourage more employees to walk to work.

The EIR evaluated the project's potential parking shortfall based on one parking space for each residential unit. The parking demand for residential uses ranges from 1.1 to 1.5 spaces per unit and thus exceeds the proposed supply. The parking demand analysis does not assume that all automobile owners move their vehicles each day, and the trip generation calculations for this area of San Francisco assume considerable use of transit during the peak afternoon commute hour (see EIR pp. 122-123).

Construction Traffic

Comments

These two projects involve extremely major construction in an area which already has and is projected to have even more on-going large construction projects. Most importantly, in addition to the already underway 333 First Street project, the Transbay Terminal project is presently scheduled to begin construction at approximately the same time as the two subject projects. The Transbay Terminal project will reduce traffic lanes on the very streets here involved and will shift bus and other traffic to Folsom and may well result in the digging up of both Second and Main streets for a train tunnel. (*Reed H. Bement*)

Construction Mitigation: We request that construction mitigation's be called for in the EIR that are identical to the mitigation's agreed to and used by the S.F. Giants during the construction of PacBell Park. A great deal of thought and time was put into developing those mitigations and they worked effectively for both the surrounding community and the project owner and contractor. . .

B. Alternative B: No Traffic Impacts: We request that the aforementioned comments relate and be revised to pertain to Alternative B.

C. Alternative C: Existing Height and Bulk Controls: We request that the aforementioned comments relate and be revised to pertain to Alternative C.

D. Alternative D: Reduced Development Under Requested Rezoning: We request that the aforementioned comments relate and be revised to pertain to Alternative D. (*Andrew Phipps Brooks, General Manager, BayCrest Towers, on behalf of the BayCrest Towers Residential Association*)

Response

Construction traffic is discussed in the EIR on pp. 128-130. As explained there, construction staging would not extend into travel lanes on adjacent streets, although temporary pedestrian walkways would use parking lanes. Construction activities would be coordinated with the appropriate City departments including the Planning Department, Muni, Department of Parking and Traffic, and Department of Public Works, as well as with Caltrans to coordinate construction activities for the Bay Bridge seismic retrofit of the west span and the modification of the Fremont Street off-ramp at Folsom Street. As discussed in the EIR, construction traffic could temporarily affect nearby streets, but would not constitute a permanent impact on the neighborhood.

Construction of the Caltrain Downtown Extension project could involve substantial temporary disruption in the project vicinity if the project is approved and funded. The effects would be considerably greater than construction impacts from the 300 Spear Street development project. Impacts of construction of the Caltrain Extension and Transbay Terminal projects are discussed in the *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR* on pp. 5-138 to 5-198, with construction traffic impacts discussed on pp. 5-165 to 5-174. Insofar as construction of the Transbay Terminal and CalTrain Extension projects might overlap with that of the proposed development project, trucks could temporarily impede traffic and transit flows on nearby streets, similar to the impacts discussed in the *300 Spear Street Project EIR* on p. 129.

Construction of Pacific Bell Park was not identified as a significant traffic impact in the *San Francisco Giants Ballpark at China Basin EIR* (certified June 1997). The extensive mitigation measures discussed in that EIR (pp. V.2-V.60) related to impacts from traffic generated by baseball games and events at the ballpark and impacts to transit services from both traffic destined to the ballpark and increased ridership on transit lines serving the ballpark. No construction mitigation measures were identified or discussed in the *San Francisco Giants Ballpark EIR*. Considerable coordination among the construction contractors, City agencies, and neighborhood groups did occur during construction of that facility, similar to coordination with City agencies suggested in the *300 Spear Street Project EIR* on p. 129.

The alternatives analyzed in the project EIR would result in smaller buildings than the proposed development project. Therefore, construction impacts would be the same as or less than those described in the EIR for the proposed project.

Alternate Transportation

Comments

Union Property Capital, Inc.'s 300 Spear Street project is a good example of the kind of dense, infill, downtown housing that San Francisco needs and that City CarShare can help. . . We especially applaud the developer's work to provide car-sharing in this location that now houses a parking lot. City CarShare has successfully located car-sharing in several other developments, including the Gaia Building in downtown Berkeley and Oceanview Apartments at Alemany & 19th Ave. In addition, we have plans to partner with several other housing developers to place car-share cars in their buildings, including Tishman Speyer Properties, Citizens Housing, Chinatown Community Development, and the John Stewart Company [partial list]. (*Elizabeth Sullivan, Executive Director, City CarShare*)

As noted in the report, since parking demand exceeds the number of parking spaces being supplied by the project sponsor, it behooves the project to offer TSM incentives. This should include: City CarShare, CommuterChex and perhaps incentives to residents that do not own cars. For example, offering cash back to residents that do not own a car nor use their designated parking space is one possible idea. (*James D. Lowé, Transit Planner, Muni*)

Response

The EIR identifies coordination with City CarShare as an "improvement measure" that could help to reduce the project's parking shortfall (EIR p. 179). The sponsor of the 300 Spear Street development project is considering this coordination as part of the project. Other improvement

measures identified to reduce the parking shortfall include providing on-site transit information and providing free transit passes to on-site employees, similar to the suggestions in the comments. Financing of and costs of residences proposed in the project is an economic issue that is not part of the EIR analysis. The project site is relatively close to downtown and South of Market employment centers, providing a natural incentive to walk or take transit to workplaces rather than drive.

AIR QUALITY

Comments

The EIR states that if the projects were completed in 2002, there would be a significant air quality impact with ROG (reactive organic gasses) and NOx (nitrogen oxides) exceeding BAAQMD's limit of 80 pounds per day. The report attempts to conclude that this would not be an issue in 2003-4 because of improvements in the statewide automobile fleet, attrition of older vehicles and improved fuel mixtures. Where is the evidence for this conclusion? What are the current ROG and NOx production units per day and how many more pounds of ROG and NOx will these projects bring into our environment? The air quality data in Table 8 of the 300 Spear EIR shows no trend in the reduction of pollutants over the 1995 - 2000 period. How can we reasonably conclude air quality will improve without any evidence? (*Alexandria Chun*)

The Reports acknowledge that the air quality will diminish further to levels that have not been addressed. (*Patricia J. Fodor*)

Then, follows the statement that total emissions would drop below the unsafe limits due to improvements in the automobile fleet, attrition of older, high-polluting vehicles and improved fuel mixtures. This particular statement has no accuracy, validity and is deceiving. If you look at the table on page 141, that follows the levels of air pollution in San Francisco from 1995 to 2000, you will notice no trend of decreasing pollutants' levels over the past six years. The statement in the EIR that interprets this data is correct - "no clear-cut trend." Why is it, that for the past 6 years with ongoing improvements in the automobile fleet, attrition of older, high-polluting vehicles and improved fuel mixtures did we not measure a decreasing trend in air pollutants' levels? How does one arrive at the conclusion that in the next 3-4 years the air pollution from cars will decrease, since we did not see that happen for the past 6 years? I hope you agree that there is no logic to the conclusion of the EIR on this most important matter. It is most disturbing that whoever analyzed the air quality data would present this false conclusion.

What follows next deals with the consequence of a false conclusion. As you have seen, there is no valid data to support the claim that these projects will be safe in terms of air quality, i.e. will present a significant impact. "... the project impact would be considered significant if it caused operation-related emissions equal to or exceeding an established threshold of 80 pounds per day of ROG, NOx or PM10...." (p. 143) I also remind you that our area, being residential and hosting

several child care facilities, falls under a definition of “sensitive receptors” (see p. 139, 143) and may not tolerate even an “occasional” rise above the safe threshold levels of air pollution by definition. (*Konstantin Ovodov, M.D.*)

Response

The air quality analysis in the EIR was completed in accordance with the Bay Area Air Quality Management District’s (BAAQMD’s) *CEQA Guidelines*. These guidelines specify the models and emission factors to be used in assessing the air quality impacts of projects and plans. To estimate mobile source emissions, the BAAQMD requires use of the URBEMIS7G model, a model used to calculate mobile source emissions associated with various types of land use projects, EMFAC emission factors, and ITE trip generation rates. EMFAC is a mathematical model used to project changes in future inventories of mobile source emissions, and EMFAC emission factors use data from the Motor Vehicle Emission Inventory. The EMFAC model presents emissions rates in yearly increments. The California Air Resources Board (CARB) has maintained the Motor Vehicle Emission Inventory (MVEI) for over 25 years. The MVEI is an accounting of those pollutants attributable to both on-road and off-road mobile sources, and is a product of population, activity, and emissions. The on-road emissions inventory data has two parts: emissions-related data and activity-related data. The emissions-related data reflect new vehicle testing information and the latest vehicle registration data from the California Department of Motor Vehicles. The activity-related data are updated by the regional transportation agencies, which estimate the daily vehicle miles of travel, the distribution of travel by speed, and the number of starts per vehicle per day by year. Thus, an analysis prepared for 2003 or 2004 would provide different results than one prepared for 2002. Examples for different years are provided below.

Tables C&R-2 and C&R-3 show the “running” emissions from the average Bay Area vehicle fleet, and the “trip end” emissions associated with starting a cold vehicle or the additional evaporative emissions from parked cars. Using data presented in Tables C&R-2 and C&R-3, Table C&R-4 shows the change in individual vehicle emission levels for the three principal automotive pollutants over a 15-year (2000-2015) period.

The quote in one comment suggesting that the EIR identifies significant air quality impacts has been taken out of context; it is a partial quote of the significance criteria on p. 143 used to determine whether project emissions would be considered significant environmental impacts. The EIR’s regional air emissions results for 2002, reported in Table 9, p. 144, are conservative and assume the project would be completed and occupied in 2002, as stated in note 1 to that table.

Table C&R-2: Average Exhaust Emission Rates

Year	ROG	NO_x	CO	SO_x	PM₁₀
1995	1.08	2.04	13.45	0.06	0.47
2000	0.62	1.42	7.27	0.03	0.45
2005	0.36	0.97	4.63	0.03	0.44
2010	0.22	0.76	3.66	0.03	0.44
2015	0.15	0.66	3.07	0.03	0.44

Source: Bay Area Air Quality Management District (BAAQMD), *BAAQMD CEQA Guidelines*, Table 10, December 1999

Table C&R-3: Trip End Emission Factors (grams per trip)

Year	ROG	NO_x	CO
1995	3.44	1.89	49.89
2000	2.20	1.35	35.53
2005	1.36	1.08	21.07
2010	0.79	0.89	12.85
2015	0.50	0.78	8.33

Source: Bay Area Air Quality Management District (BAAQMD), *BAAQMD CEQA Guidelines*, Table 11, December 1999

Table C&R-4: Projected Changes in Vehicle Emission Levels by Pollutant (2000-2015)

Pollutant	Running Exhaust (% change per vehicle)	Cold Starts/Hot Soaks (% change per vehicle)
ROG	-76	-77
NO _x	-54	-42
CO	-58	-77

Source: Orion Environmental Associates, 2003

When emission factors for 2004 are applied to the projects, project-related emissions would not exceed the 80-pounds-per-day threshold. Since neither project was completed and occupied in 2002 and would likely not be completed and occupied until after 2004, the projects' impacts would be less than significant since emissions generated by project traffic would not exceed the 80-pounds-per-day threshold. In addition, the EIR presents a quantitative analysis of localized carbon monoxide emissions from the project, showing that the project would not cause the more stringent state-established CO standards to be exceeded in the project vicinity (see pp. 145-147).

Table 8 in the EIR, referenced in one of the comments, presents a summary of ambient air quality monitoring data. Maximum concentrations presented in this table vary from year to year because these data are directly influenced by variations in meteorological conditions from year to year. These variations are not indicative of the emission rates, since ambient levels reflect not only mobile source emissions but other emissions sources (construction and stationary source emissions in the region). In addition, mobile source emissions could increase due to increased traffic levels even though emission rates per vehicle decrease over time.

In Table 9 of the EIR, project-related regional source emissions are listed for 2002 as well as for 2020. This table indicates that the project-related and cumulative regional emissions will decrease in the future, reducing future emissions and associated air quality impacts.

Child Care

Comments

. . . In addition to the child care facility at Hills Plaza mentioned in the EIR, there are at least two others that should also be noted. There is one at 220 Spear Street and another on Mission Street between Main and Beale (in the PG&E building). (*Konstantin Ovodov, M.D.*)

By the way, one segment of the population that is the most susceptible to poor air quality are children, and the EIR has mentioned only one day care facility in the area. There is actually at least two others. There's one on 220 Spear and the one on Mission Street between Main and Beale in the PG&E building. (*Alexandria Chun*)

Also, there was a question about day care centers and the potential impact of air pollution to the children at the day care centers.

I think one is a few blocks away, the PG&E Day Care Center. I don't know what impact that will have with the new building and the number of cars going in and out of the two high-rises. (*Commissioner William Lee*)

Response

The paragraph at the top of p. 63 in the EIR notes daycare to be one of the existing uses at 220 Spear Street. Thus, this child care facility, along with the one at Hills Plaza, is acknowledged in the EIR.

The PG&E Day Care Center, in the PG&E building at 245 Market Street, between Main and Beale Street, is about three blocks north of the project site. This building was beyond the land use survey area defined by the EIR. The project survey area is bounded by The Embarcadero to the east, I-80 to the south, Second Street to the west, and Mission Street to the north. These streets are logical boundaries defining the survey area and encompass a sizable 24-block area that is representative of the project's general land use context: the Downtown-South of Market area.

The next-to-last sentence in the paragraph at the top of p. 143, part of the Sensitive Receptors discussion in Section III.D, Air Quality, is revised to include the daycare at 220 Spear Street for informational purposes, as follows:

There is one child care facility east of the development site in Hills Plaza, and one daycare facility one block north of the development site at 220 Spear Street.

The air quality analysis shows that the emissions from project-generated traffic would not exceed BAAQMD thresholds (see pp. 143-148 of the EIR). These thresholds and the state and federal air quality standards take into account health effects and sensitive receptors.

Comments

The EIR also fails to discuss the health risks poor air quality it will cause. It seems air quality issues have been trite to many of us and is often ignored but the fact is studies have shown over and over that poor air quality will increase the risk of respiratory disease and cancer. If the plan is to create more housing and bring more people into the community, it needs to be done responsibly and that includes developing a community that will not create and cause the members to become ill. (*Alexandria Chun*)

First, the statement is made [citing text from EIR p. 147] that the emissions (air pollution) would exceed safe limits if the projects were completed today. It, therefore, would cause a significant air quality impact. The relationship between air pollution from car emissions and health are well known and range from minor respiratory ailments to severe respiratory compromise in sensitive individuals and increased cancer risk. Scientific literature is abundant with supporting data and some references are cited below. [See Dr. Ovodov's letter in Exhibit 1 of this Comments and Responses document for his list of citations.] (*Konstantin Ovodov, M.D.*)

Response

See the Response on pp. 266-268 regarding the fact that since neither the 300 Spear Street nor 201 Folsom Street development projects were built and occupied in 2002, emissions from traffic generated by the projects would not be expected to exceed emissions thresholds established by the BAAQMD. Regarding potential health hazards to sensitive receptors, the ambient air quality standards are intended to protect the public health and welfare (see Bay Area Air Quality Management District, *Bay Area 2000 Clean Air Plan*, p. 1). They specify the concentration of pollutants (with an adequate margin of safety) to which the public may be exposed without adverse health effects. They are designed to protect those segments of the public most susceptible to respiratory distress, known as sensitive receptors, including asthmatics, the very young, the elderly, people weak from other illness or disease, or persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollution levels somewhat above the ambient air quality standards before adverse health effects are observed. Sensitive receptors are discussed in the EIR on pp. 142-143. Also, see the previous response on p. 269 discussing revisions to the Sensitive Receptors paragraph in the EIR.

Comments

. . . [I]n terms of air quality may I fully represent some of the benefits that you will experience as a result of the fact that more people can live in San Francisco. The major fact that degrades air quality in this particular region is because of the in that particular area of the City is because of the Transbay traffic and if you actually build more housing which people can live in there's going to be a reduction in the Transbay traffic that people experience. Additionally, there has to be some air quality improvements due to the fact that you're getting rid of the parking lots and you're replacing that with housing. So, I think that those air quality issues probably would definitely see a long term impact if more people can walk to work and they aren't driving their cars circling around the block in parking lots. (*Gwenyth Borden*)

. . . [M]y final point in regards to traffic, I think there may be a tendency for there to be less pollution in regards to traffic.

As one speaker pointed out and as much as we would hope people living here would live here in lieu of living in the East Bay and driving across the Bridge or other areas that they would need to drive their automobiles to San Francisco and, by the same token, one would hope that employers would consider moving their businesses into the San Francisco area when more residents are living so close to the place where the sites of the businesses could be. (*Commission Vice-President Michael J. Antonini*)

Response

The comments are correct in stating that constructing housing adjacent to places of employment in and near downtown San Francisco could reduce commute traffic by making it easier for residents to walk or take transit to work. Although this is likely to occur, the air quality analysis does not make any special adjustments for the project's location, and thus may present extra-conservative results for air quality impacts from project-generated traffic.

Comment

The Transbay Terminal itself, not even considering the development it is anticipated to produce, is a huge project which will involve a great deal of attendant noise, dust and other disruptions caused by major construction. The impact of all the construction that is planned for the area should be, but is not, included in the EIR, including traffic congestion and discomfort to those who live and work in the area. (*Reed H. Bement*)

Response

Construction of the Transbay Terminal and new buildings in the Transbay Redevelopment Area, if approved following completion of their environmental review, would result in particulate emissions similar to those described for the proposed project (see the Initial Study, p. 23 in EIR Appendix A, for a discussion of construction air quality issues for the proposed project). Construction-related particulate emissions can be controlled by a series of mitigation measures identified by the Bay Area Air Quality Management District; for the proposed project they are listed in Chapter IV, Mitigation Measures, pp. 173-174, Mitigation Measure 3, Construction Air Quality. These same construction air quality mitigation measures are also listed in the *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Draft DEIS/EIR* on pp. 5-178 to 5-179 in the discussion of construction impacts in Section 5.21 of that DEIS/EIR.

Noise effects from construction are discussed in the Noise section later in these Responses to Comments. Construction traffic issues are addressed under Construction Traffic in the Transportation section of these Responses to Comments.

Cumulative Air Quality

Comment

Another important issue is that the current EIR is completely silent about a potential air quality impact of the future projects in the immediate vicinity that are planned: Transbay terminal, new cruise terminal, Folsom Street off ramp etc. No doubt all these projects will bring escalating

levels of air pollution beyond those exceeding safe threshold that are specified in the current EIR. (Konstantin Ovodov, M.D.)

Response

Cumulative local air quality impacts are presented in Table 10 of the EIR, which calculates localized CO emissions for the “Cumulative (2020) + Project” scenario. The traffic volume estimates that are the basis for this cumulative scenario use a City-prepared forecast of future growth that includes ABAG growth projections from *Projections '98*, plus an additional growth factor (see the 2020 Future Scenario discussion on pp. 132-133 in Section III.C, Transportation, of the EIR), rather than using a list of specific development proposals. The additional growth was included to account for development in the Transbay Terminal area and other nearby locations that had not been in *Projections '98*. Note that the Draft EIR incorrectly cites *Projections 2000* in note 7 on p. 133 as the basis for the ABAG growth projections. As cited on p. 4-42 of the project’s Transportation Study, the San Francisco County Transportation Authority countywide model is based on ABAG *Projections '98*. Note 7 on p. 133 is revised to read:

Association of Bay Area Governments, *Projections '98, 1998*.

ABAG’s *Projections 2000* forecast considerable additional growth in jobs and population between 2000 and 2020 compared with the forecasts made in 1998. *Projections 2000* forecasts 731,770 jobs in the City by 2020, compared with the 1998 forecast of 679,650 by 2020. This is an increase of over 7.5 percent. The *Projections 2000* forecast of 785,600 San Francisco residents by 2020 is a 2 percent increase over the *Projections 98* forecast of 770,200 residents. Therefore, the SFCTA model’s use of a 2.8 percent increase in employment and 1.4 percent increase in population appropriately accounts for changes in the project vicinity that could result from development in the Transbay Redevelopment Area and the Rincon Hill area if the Redevelopment Area Plan and the Rincon Hill rezoning proposals are approved.

With respect to cumulative regional air quality impacts, since future cumulative growth is forecasted by the City to be consistent with ABAG growth projections in *Projections 2000*, cumulative growth in the City is considered to be consistent with the BAAQMD *Clear Air Plan* (CAP) adopted in 2000. When the projected growth rate is consistent with the CAP, cumulative regional air quality impacts are considered to be less than significant. In addition, San Francisco’s *General Plan* is consistent with the CAP. San Francisco supports voluntary employer-based trip reduction programs in the Planning Code and Air Quality Element of the *General Plan*. The Transportation Element of the *General Plan* promotes bus-only lanes and discourages long-term commuter parking in downtown to encourage use of transit, and

encourages pedestrian-friendly design. The City's zoning ordinance, and the Residence Element and *Downtown Plan Area Plan* in the *General Plan* promote high-density residential development near downtown to encourage walking and bicycling to work. In addition, the City continues to improve and expand its bicycle lane system to promote bicycling as an alternate means of transportation. CarShare is an active program in San Francisco that encourages residents to forego automobile ownership. Thus, San Francisco implements the Transportation Control Measures (TCMs) that are included in the CAP. San Francisco has the highest rate of commuter transit use in the region. Development of residential units adjacent to the downtown employment center would complement the City's implementation of these TCMs.

SHADOWS AND WIND

Comments

...[T]he EIR and the report does not address what sixteen hundred units will do to the neighborhood. . . It is quite an addition to that neighborhood and there are. . . light issues, wind issues, sun issues that are not complete in the EIR. (*Judith Patterson*)

In addition to creating a visual blight on the neighborhood, buildings of such height and bulk would severely and negatively impact the. . .light and sun of everyone who lives, works or visits the neighborhood. . . (*Petition attached to Reed H. Bement's letter and petition submitted by residents of 461 2nd Street*)

...I'm also concerned about wind and light issues in this area. Anyone who frequents the financial district in the City knows that it is a virtual wind tunnel. It is dark. It is not conducive to good residential area which is why the area is not heavily inhabited. I know my husband and I looked at residential properties in that area and chose to live elsewhere with light and adequate ventilation. (*Bobby Carter*)

The other issue that I looked at on this was in terms of the light and while there were considerable shadows, I think it seems as though the buildings were erected in as narrow as possible configuration and they made a point of pointing out that the shadows on the parks that are proposed are somewhat minimal. . . (*Commission Vice-President Michael J. Antonini*)

... I had a couple of things that I noticed in the reading. One was in regards to the wind factor. Now, I read it that there would be an incremental increase of a mile per hour on the winds and the fifteen miles per hour winds were like the total wind. . .I don't know that the winds would increase by fifteen miles an hour but, rather, would be increased by a lesser amount. (*Commission Vice-President Michael J. Antonini*)

You don't know what a redevelopment area that's being proposed under the Transbay terminal is going to have in the way of impacts but here, in these two documents, you know exactly what the wind impacts are going to be and they are all going to be over eleven miles per hour. They are going to be fourteen and even sixteen on certain spots on Main Street, and you need to know that. *(Mary Anne Miller)*

. . . I also believe they violate several of the [Planning] department's objectives for the area.

Objective 4: TO PROVIDE QUALITY HOUSING IN A PLEASANT ENVIRONMENT THAT HAS ADEQUATE ACCESS TO LIGHT, AIR AND OPEN SPACE

The shadows from the towers will certainly reduce the amount of light access and air quality will diminish for everyone in the area. The existing open space will be occupied by these projects and the towers will most nearly completely enclose 300 Beale and significantly reduce its residents' light quality. *(Alexandria Chun)*

The EIR fails to reflect that these projects deviate from and conflict with the following objectives of the existing Rincon Hill Area Plan.

Objective 4: To provide quality housing in a pleasant environment that has adequate access to light, air and open space.

Objective 7: To achieve an aesthetically pleasing residential community.

Although the projects provide housing, the EIR does not clearly reflect that they are inconsistent with the present housing in the area in that they would tower over the surrounding buildings by a measure of 2 to 1 or more and would eliminate or reduce a large part of the light and sun now enjoyed by that housing as well as by the other nearby buildings, streets and sidewalks. The subjective conclusion of the EIR that these projects would further these objectives is simply not borne out by the evidence presented. *(Reed H. Bement)*

The Reports indicate that, in addition to traffic and air quality, these projects will affect wind intensity and light quality – all of which are inconsistent with the overall mission of the Planning Department, and therefore do not justify the re-zoning. *(Patricia J. Fodor)*

Response

These comments raise issues about the project's shadow and wind impacts, as well as questions about the project's consistency with Objectives 4 and 7 of the *General Plan* and the mission of the Planning Department in regard to these impacts. This response addresses each of these categories of issues under a separate heading.

Shadows

A shadow fan analysis, which projects the maximum extent of potential shadow, was prepared for the Initial Study for the project (see Appendix A of the EIR, p. 25). It was determined that the shadow impacts of neither 300 Spear Street nor other potential development under the requested rezoning would be a significant impact under Planning Code Section 295, because maximum development under the proposed rezoning could not shade any open space under the jurisdiction of or to be acquired by the Recreation and Park Commission. As detailed in the EIR on pp. 150-158, the project would cast shadows on local sidewalks, privately owned, publicly accessible open space, and Rincon Park, which is not under the jurisdiction of the Recreation and Park Commission. The analysis of shadow on such spaces in Section III.E, Shadows and Wind, therefore is presented for informational purposes only. The shadow patterns for the development project are shown in the EIR on Figures 31-34, pp. 152, 154, 155, and 157, respectively. These figures show existing shadows, net new development shadows, proposed development shadow boundary, and shadow boundary of the proposed 201 Folsom Street project; they also show the locations of public and publicly accessible, privately owned open space in the vicinity. The text on pp. 150-158 of the EIR discusses the effects of the 300 Spear Street project on surrounding sidewalks and public and publicly accessible open spaces. The 300 Spear Street and proposed 201 Folsom Street sites are currently paved parking lots, not open spaces as suggested in a comment.

Hills Plaza and 300 Beale Street are the residential buildings closest to the requested rezoning area. Hills Plaza is immediately across Spear Street from 300 Spear Street and 300 Beale Street is immediately across Beale Street from the proposed 201 Folsom Street site. Both are shown in the EIR on p. 62 in Figure 23 (see revised Figure 23: Existing, Under-Construction, Approved, and Proposed Residential Developments in Rincon Hill SUD, p. 289). One comment asks about project shadow on 300 Beale Street, which is southwest of the requested rezoning area. Figure 33 in the EIR shows the shadow pattern on the project area on June 21, the time of year in which the sun is farthest north and therefore has the greatest possibility of directing early morning shadow toward 300 Beale Street. Shadows from development under the requested rezoning would not reach 300 Beale Street after 10 a.m. at any time of the year.

See also the response on pp. 241-242 regarding the proposed project's height and bulk in relation to buildings in the vicinity.

Wind

The wind analysis in the EIR incorporates information from the *Wind Tunnel Analysis for the Proposed 300 Spear Street Project, San Francisco*, presented in full in Appendix D of the EIR. As described on p. 162 of the EIR, wind tunnel tests were conducted for the project site and vicinity under several scenarios: (1) existing conditions; (2) conditions with the proposed development project; (3) conditions with the proposed development project and the adjacent proposal at 201 Folsom Street, representative of the requested rezoning; and (4) conditions with the requested rezoning and conceptual designs for the proposed Transbay Redevelopment Project Area across Folsom Street (“Transbay Cumulative”). The EIR discusses each scenario with respect to the pedestrian comfort criterion in Planning Code Section 249.1(b)(3)(A) and the wind hazard criterion in Planning Code Section 249.1(b)(3)(B). The significance criteria for wind and the wind tunnel methodology are discussed in the EIR on pp. 161-162. The study found that there would be no significant impacts from the rezoning because the hazardous wind criterion would not be exceeded under any of the scenarios. The findings of the study are shown in Table 11 on p. 164 of the EIR; the pedestrian comfort criterion of 11 mph more than 10 percent of the time would be exceeded at various locations under all of the scenarios. An improvement measure – that is, a measure that would reduce an impact of the project that was found through the environmental analysis to be less than significant and that may be required by decision-makers as conditions of project approval – to improve pedestrian and sitting comfort is presented on pp. 179-180 of the EIR.

One comment asks specifically about the increases in wind speed. The comment is correct. At none of the locations would wind speeds increase by 15 mph. Table 11 contrasts the wind speed measurements taken at the 44 test locations under existing conditions, proposed development conditions, rezoning project conditions, and Transbay cumulative conditions. As shown in Table 11 of the EIR, the greatest increase in wind speeds between existing conditions and the proposed 300 Spear Street development project would be 10 mph at one location (from 6 to 16 mph at point 11, on the project site at the corner of Spear and Folsom Streets). The greatest increase between existing conditions and the rezoning project would be 11 mph at one location (from 6 to 17 mph, also at point 11).

As noted in the comments, the windiest location (point 16) would be on the sidewalk east of Main Street adjacent to 345 Main Street; this test point is also where the greatest wind speeds under existing locations were measured (see Table 11, p. 164 of the EIR). Under rezoning project conditions, wind speeds would increase in the area compared to existing conditions, with wind speeds ranging from 8 to 17 mph. As noted on p. 166 of the EIR, 35 of the 44 measurement

locations would exceed the 11 mph pedestrian use comfort criterion, and measurement locations exceeding the comfort criterion would be added at 14 locations. Under this scenario, winds would increase along the west side of Main Street, the south side of Folsom Street, and the east side of Beale Street on the 201 Folsom Street block (see Figure 36, p. 163 and Table 11, p. 164).

Consistency with Objectives 4 and 7 of the General Plan and the Mission of the Planning Department

Comments make reference to Objectives 4 and 7 of the Rincon Hill Plan, an Area Plan of the *General Plan*. Objectives 4 and 7 of the *Rincon Hill Area Plan* are presented under Housing and Urban Design, respectively, in the list of objectives and policies on pp. 70-73 of the EIR.

Objective 4 calls for adequate access to light, air, and open space. Nearby publicly accessible open space is shown on Figures 31-34 in the EIR. Publicly accessible open space is also provided as part of the project. In the meaning of the *General Plan* and Planning Code, access to light and air refers to natural light and fresh air, not access to direct sunlight. The purpose of this objective is to avoid the crowding of adjacent buildings together without adequate setback from the property line for windows and rear yard open space. In the requested rezoning, tower separation is required to be 82.5 feet. The separation is based on the width of adjacent streets. The towers in the 300 Spear Street and proposed 201 Folsom Street projects would be separated by 82.5 feet, approximately the width of Folsom Street. They would be separated from all other residential developments by the width of the intervening street, i.e., by about 80 feet at a minimum. The area of the requested rezoning and the surrounding area would not be dark or lack access to sun, light, and air.

As explained in the first paragraph on p. 69, the Planning Commission and Board of Supervisors will evaluate the proposed project against the provisions of the *General Plan*, including those in the *Rincon Hill Area Plan*, and will consider potential conflicts with the *General Plan* as part of the decision-making process, as well as taking the steps listed in the following paragraph. This consideration of *General Plan* objectives and policies is carried out independent of the environmental review process, as part of the decision to approve, modify, or disapprove a proposed project. Any potential conflicts with provisions of the *General Plan* that would cause physical environmental impacts have been evaluated as part of the impacts analysis in Chapter III of the EIR and the Initial Study, presented in Appendix A.

The overall mission of the Planning Department is not relevant to the environmental analysis presented in the EIR, except insofar as the mission indicates an intent to serve the public and

EIRs provide public information. The California Environmental Quality Act (CEQA) guides and shapes EIRs. According to the State CEQA Guidelines, “the purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project” (see CEQA, Section 21061). The project’s impacts are discussed in Chapter III of the EIR (specifically, traffic, air quality, and shadows and wind are addressed in Section III.C, pp. 110-138, Section III.D, pp. 139-148, and Section III.E, pp. 149-168, respectively), mitigation measures are presented in Chapter IV, and alternatives to the proposed project are evaluated in Chapter VI.

NOISE

Construction

Comment

The Transbay Terminal itself, not even considering the development it is anticipated to produce, is a huge project which will involve a great deal of attendant noise, dust and other disruptions caused by major construction. (*Reed H. Bement*)

Response

Construction noise from the proposed development project is discussed in the project Initial Study, included in Appendix A of the EIR. The discussion there notes that construction noise in San Francisco is regulated by the San Francisco Noise Ordinance, which limits noise from most types of construction equipment and limits the hours during the day when construction can occur (see Appendix A, p. 21).

It is true that construction in the Transbay area, including construction of a new Transbay Terminal on Mission Street, three blocks from the project site, would also result in temporary increases in noise levels. The potential noise impacts of the Transbay Terminal project are discussed in the Draft EIS/EIR for that project on pp. 5-179 to 5-187. This discussion is related mainly to construction of the Caltrain Downtown Extension. A key measure identified in the Draft EIS/EIR to reduce construction noise is the same as that identified in the 300 Spear Street Project EIR: compliance with the San Francisco Noise Ordinance (p. 5-187 of the Draft EIS/EIR),

plus limiting and controlling noise from nighttime construction activities. Nighttime construction is not currently proposed as part of the 300 Spear Street development project.

HAZARDS

Comment

The initial study indicates that soil and groundwater sampling has been conducted at the Site, however the sampling locations, sampling depths and analytical results were not included in the EIR. Therefore, DTSC was unable to determine whether the site contained hazardous substances which would need to be addressed prior to construction of any proposed development. This property appears to be located in an area which was formerly known as “Coal Tar Flats” due to the discharge of manufactured gas plant wastes into this area. Sampling results from nearby properties has indicated the presence of manufactured gas plant wastes and other hazardous substances in the subsurface.

As the initial study did not indicate the sampling results, it is unclear whether sufficient sampling has been conducted to test for potential contaminants from past operations at and/or near the Site. DTSC is also unable to determine whether the soil would be classified as a hazardous waste for disposal purposes and whether any land disposal restrictions would be applicable.

It appears that the project involves the installation of an underground parking garage. As noted in the EIR (page 175, Section IV, Hazards, Paragraph 2), if chemicals are present at significant levels, air monitoring will be required during excavation to ensure that nearby workers, pedestrians and others are not adversely impacted during the implementation of any required remedial action. However, the EIR should clearly indicate whether chemicals-specific sampling will be conducted and the standards against which analytical results will be evaluated to determine if additional actions must be taken or if work should be halted.

The mitigation measures indicated on page 173, Section IV, Construction Air Quality, are specific to particulate emissions. As the sampling results were not provided, DTSC cannot ascertain whether this mitigation measure to reduce particulate emissions would be sufficient to protect the public from exposure to chemicals present at the Site.

Contamination at the Site must be addressed as part of the development project or prior to development. If chemicals remain in soil and/or groundwater following development at levels which pose a significant risk to public health and/or the environment or if cleanup goals for this Site are based upon an exposure scenario other than unrestricted land use, land use restrictions which run with the land should be required. The land use restrictions should be written to require that subsequent owners or occupants of the property are informed about conditions at the Site and to ensure that any remedy installed at the Site remains protective of public health and the environment.

Based upon the language in the EIR, Page 175, Section IV, Hazards, the Site must be cleared of all hazardous materials prior to initiation of construction of the development project. Please verify that the definition of "hazardous materials" is consistent with California Health and Safety Code 25260(d) or 25501(o). The EIR identifies the San Francisco Department of Public Health as the lead agency for response actions associated with hazardous materials at the Site. Therefore, DTSC recommends revising the EIR to require the following activities prior to initiation of soil movement at the Site: 1) San Francisco Department of Public Health (DPH) concurrence that the Site has been adequately characterized; and 2) DPH approval of a site mitigation plan for the development Site. DTSC further recommends revising the EIR to require DPH concurrence and approval of the report stating that all hazardous materials have been removed from the development Site prior to initiation construction activities on the development Site. DTSC or the San Francisco Bay Region, Regional Water Quality Control Board (RWQCB) may also provide oversight for site characterization and/or response action implementation. If the Draft EIR is subsequently revised and will not require removal of all hazardous materials from the development Site, we request an opportunity to review and provide comment upon the revised language.

The EIR (page 175, Section IV, Hazards, Paragraph 3) indicates that the report stating that all hazardous materials have been removed from the development site and describing the steps taken to comply with this mitigation measure must be certified by a Registered Environmental Assessor or similarly qualified individual. The report must also comply with the California Business and Professions Code. All engineering work must be certified by an appropriately registered California professional engineer. All geological work must be certified by a California registered geologist or certified engineering geologist. The report must also contain sufficient information for regulatory agencies to verify that all hazardous materials have been removed. This should include copies of hazardous waste manifests, bills of lading, figure(s) showing sampling locations, and all analytical results, including but not limited to those for soil confirmation samples, groundwater analytical samples, and waste characterization samples. Tables should be used to ease review.

The EIR (Page 39, Section II, Development Project, Paragraph 1) indicates that there will be a five-level underground parking garage under the entire development site. It would require excavation to a depth of about 66 feet below street grade and would result in the removal of about 185,000 cubic yards of soil (Appendix A, Initial Study, Page 32). Groundwater is expected to be encountered about 7.5 to 14 feet below the ground surface. Therefore, DTSC has the following concerns:

- A. Given the size of the development project, it is likely that dewatering will influence groundwater in the area. DPH approval of an analysis to determine the potential impacts of this dewatering on areas of known groundwater contamination should be required prior to initiation of soil movement at the Site.
- B. Groundwater analytical results from the Site were not provided in the EIR, although the Initial Study indicates that groundwater has been sampled and analyzed. Therefore, it is unclear what, if any, treatment would be required,

whether treatment would occur onsite or offsite, whether there is sufficient space within the footprint of the development project to conduct these activities, and whether a permit is required for the treatment system.

Please clarify how the environmental impacts of any required response actions will be analyzed and addressed within the California Environmental Quality Act process. For example, if the response actions include the need for soil excavation, a CEQA-compliance document should be developed and include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local, state or federal standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) the risk of upset should there be an accident at the Site. (*Barbara J. Cook, P.E., Chief, Northern California - Coastal Cleanup Operations Branch, Department of Toxic Substances Control*)

Response

A detailed investigation of soil and groundwater for the 300 Spear Street development site was prepared by Treadwell & Rollo in *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, published on December 9, 1999. This report was cited in the Initial Study for the 300 Spear Street project and the results of the investigation were summarized in the Initial Study. The *Environmental Site Assessment* is, and was, available for public review, by appointment, at the San Francisco Planning Department offices, as part of the public record for the Initial Study and Draft EIR. As summarized in the Initial Study, elevated levels of metals and petroleum hydrocarbons were found on the site that would need to be addressed prior to construction (see EIR Appendix A, pp. 39-40).

The project area is subject to Article 20 of the San Francisco Public Works Code,⁹ requiring that analyses be carried out on soil to be disturbed during development and if analyses reveal the presence of hazardous materials that a site mitigation plan be accepted prior to receipt of building permits (see Appendix A, p. 41).

As required, all workers on site during the excavation of soil containing hazardous materials would be trained in accordance with the requirements of Cal/OSHA Title 8 Section 4192 (California Code of Regulations) requirements. Prior to initiating excavation, a study would be prepared of potential health hazards to on-site workers and persons nearby; the study would be

⁹ Article 20 of the Public Works Code references the requirements of Article 22A of the San Francisco Public Health Code, which establishes the detailed requirements for testing and remediation of sites where testing shows that hazardous materials are present at levels that could be hazardous.

undertaken by an appropriately licensed and qualified individual such as an Industrial Hygienist. The study would include recommendations for appropriate protective gear and air monitoring, and would determine whether perimeter air monitoring should be undertaken, with appropriate response actions if particulate emissions reached designated levels. This information would be included in a Site Mitigation Plan submitted to the San Francisco Department of Public Health, as required in Article 22A.

According to the geotechnical report prepared for the project site (cited and summarized in the Initial Study in Appendix A, pp. 30-32), rock at the site is encountered at approximately two feet below ground surface in the southern portion of the site and at approximately 58 feet below ground surface in the northern portion of the site (see Appendix A, p. 31). The excavation proposed for the project would extend to bedrock and would remove all soil above the rock. Thus, soil with elevated concentrations of copper, lead and petroleum hydrocarbons that is expected to be encountered during excavation would be removed as part of the project. No residual chemicals are expected to remain at the site following excavation. Therefore, no new risk to public health or the environment would result from the project.

The comment's recommendations regarding the Department of Public Health (DPH) concurrence in characterization and remediation of the project site parallels the requirements of Article 22A of the San Francisco Public Health Code. DPH must receive and review a soil analysis report and find it complete (Section 1226), and if hazardous wastes are present a site mitigation report must be submitted to DPH. The report must be certified by an appropriately licensed expert, indicating that mitigation identified, if carried out, will mitigate any environmental or health and safety risks (Sections 1228 and 1229). Thus, the Draft EIR does not need to be revised to include DTSC's recommendations, since they are essentially the same as the requirements in City ordinances. It is acknowledged that the DTSC and Regional Water Quality Control Board sometimes provide oversight for site characterization and response; Section 1227 requires that if a site is listed on the National Priorities List or the California Hazardous Substances Account Act release sites, state or federal agencies may be involved in site mitigation and their certification that mitigation measures have been completed satisfies the requirements of Article 22A.

As noted in the comment, all engineering work for the project would be carried out with appropriately registered professional engineers, and any geological work must be certified by appropriately certified or registered professionals. Reports provided to the San Francisco Department of Public Health would routinely include graphics showing sampling locations, analytical results, copies of manifests and other items listed in the comment.

As noted in the Initial Study, dewatering is expected to be necessary during excavation and foundation construction for the development project (see Appendix A, pp. 32 and 33). Groundwater pumped from construction sites in San Francisco is not discharged directly to the Bay or any other surface water; it can be discharged to the City's combined sewer system with a permit issued by the San Francisco Public Utilities Commission staff following analysis, and pretreatment if necessary, pursuant to the Industrial Waste Ordinance (No. 199-77), as summarized on p. 33 in Appendix A. Thus, the SF PUC staff review groundwater sampling information. The analysis would be performed and certified by a professional geotechnical engineer, geologist or hydrogeologist.

The EIR addresses construction air quality issues in the Initial Study on pp. 23-24 and 47 in Appendix A; construction dewatering is discussed in the Initial Study on pp. 33-34 and 48-49 in Appendix A; construction noise is discussed in the Initial Study on pp. 20-21 and 46-47; and construction traffic is discussed on pp. 129-130. There is no information in the Environmental Site Assessment prepared for the project and summarized in the Initial Study that suggests that unusual techniques would be needed during excavation of soil on the project site to avoid significant air quality, water quality, transportation, or noise impacts. Perimeter air monitoring may be included in the site mitigation report prepared and submitted to the DPH, and watering the site, as called for in mitigation measure 3 on p. 173, would be used to reduce impacts of dust that may contain hazardous chemicals. State and federal requirements would be followed for transport of hazardous materials in soil from the site to an appropriate disposal location. There is no information in the Environmental Site Assessment suggesting that there would be any risk of upset if there were an accident on the project site.

FIRE SERVICES

Comments

The EIR also did not address the San Francisco Fire Department's capacity to handle FOUR additional high-rises in this city. Fires in high-rises require a very large number of fire fighters/rescue workers because of the need to move heavy rescue equipment up many flights of stairs. Will there be enough fire fighters/rescue workers available to handle emergencies in one or more of these towers? Fires typically follow major earthquakes, what will happen if we have another major earthquake? (*Alexandria Chun*)

I would like to comment are we asking the staff to ask the Fire Department? Since this is going to be a high-rise and the issue of earthquakes is a major issue of San Francisco, what are the

fire-fighting capacity of the Fire Department to address these tall buildings? (*Commissioner William Lee*)

The height, scale and bulk of these buildings, not to mention the additional burdens which four more high-rises will place on the San Francisco Fire Department, cannot be considered complementary to the existing or even planned residential communities. (*Patricia J. Fodor*)

The ability of the Fire and Police Departments to respond to fire and other emergencies for these buildings is not discussed in the EIR. It should be noted that the Transbay EIR refers to the existing availability of fire and emergency medical services and the need for additional fire suppression personnel should the Redevelopment component of that project go forward. No such discussion is included in the EIR. That discussion needs to be placed in the context of the Transbay Terminal project as well as the Rincon Hill Mixed Use District. Particularly important is information as to whether there is the capability of promptly responding to such emergencies on the upper floors of such tall buildings. In a post 9/11 environment for buildings next door to the Bay Bridge, with four towers far taller than any other buildings in the area, such concerns must, unfortunately, be addressed. (*Reed H. Bement*)

Response

The EIR mentions on p. 27 of the Initial Study (Appendix A of the EIR) that the nearest fire station, Engine 35, is located at Pier 22½ on The Embarcadero at Harrison Street. While the proposed project could increase the number of calls received from the area or the level of regulatory oversight required, the increase in responsibility would not likely be substantial in light of the existing demand for fire protection services in the Rincon Hill - Rincon Point Area.

In addition, the Initial Study, on pp. 41-42, Appendix A of the EIR, states that San Francisco ensures fire safety primarily through provision of the Building Code and the Fire Code. Final building plans for any new residential project greater than two units require review by the San Francisco Fire Department (as well as the Department of Building Inspection), in order to ensure conformance with these provisions. In addition, the project sponsor would be required to develop an evacuation and emergency response plan in consultation with the Mayor's Office of Emergency Services to ensure coordination between San Francisco's emergency planning activities and the project sponsor's plan to provide for building occupants in the event of an emergency. The EIR concludes that potential fire hazards would be mitigated during the permit review process. On April 2, 2003, Mario Ballard, Captain of the Bureau of Fire Prevention and Investigation, confirmed that the Initial Study correctly and accurately described the fire safety permit process.

The San Francisco Transbay Terminal/Caltrain Downtown Extension Project is currently undergoing federal and state environmental review by the City and County of San Francisco, the San Francisco Redevelopment Agency, the Peninsula Corridor Joint Powers Board, and the Federal Transit Administration (Case No. 2000.048E). The proposed Redevelopment Plan and zoning changes have not been adopted, and, therefore, are not City policy. Future development projects associated with the Transbay project would undergo the same fire safety permit review process as described above.

CUMULATIVE IMPACTS ISSUES

Comments

The EIR clearly indicates these projects will affect traffic conditions, air quality, wind intensity and light quality, but there is no indication of the cumulative affects of these and other proposed/approved projects in the area such as 333 First Street. If the planning department does not critically evaluate the cumulative affects, who will? (*Alexandria Chun*)

Finally, I would like to emphasize the need to plan responsibly by looking at the impact of these projects within the context of the planned and proposed developments in the area.

Clearly, the impact of traffic, air quality and wind among other issues would be far greater when all the projects are combined than if they were analyzed independently, we have a chance to build a great community in this area and I urge everyone here to take the opportunity to do so by examining the impact of these projects with greater care and diligence to ensure they will not jeopardize the health and safety of the community members. (*Alexandria Chun*)

Finally, re-zoning of these parcels cannot and should not be considered independent of the larger, and far more significant Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Project (Item 2000-048E), which will have an even greater impact on the above-mentioned issues. (*Patricia J. Fodor*)

As a general point, it would be irresponsible to move forward with either of these two projects until an overview of proposed and/or planned projects are reviewed and considered in total - Such projects include the Transbay Terminal/Caltrain Extension projects which will add 3400 to 4700 residential units, in addition to office and commercial space. Please note that the Rincon Hill Mixed Use District Plan, and the EIR is out of step. The EIR is isolating these two projects, and not giving proper consideration to the combined effects of all projects - Greater building bulk, increased pollution, traffic congestion, reduced parking, decreased open space, compromised sunlight, and increased wind intensity. (*Bobbie Carter*)

If the Planning Department is to proceed at this time even though it is premature, the EIR should, which it does not, take into account not only the impact of the two proposed projects but the impact as well of the adoption of the proposed Plan plus the existing and proposed development in the broader surrounding South of Market area.

As one example, under the Plan 7750 residential units plus substantial retail and office development would be built in addition to what would otherwise be built without the proposed changes. This additional development must also be considered in the EIR if it is to provide a meaningful discussion of the impact on the neighborhood of the proposed projects. Obviously, the impact upon parking, traffic, air quality, visual quality, among other topics, is far greater when all the projected development is combined than when the analysis is restricted to only one or two projects. This again illustrates why the Plan should be first considered.

Finally in this regard, the continuing and proposed changes in the overall South of Market area need to be part of the EIR. Again, only as one example, the recent draft Environmental Impact Statement and Report for the Transbay Terminal/Cal Train Extension projects (hereafter the "Transbay EIR") projects that in addition to huge increments in office and commercial space, there will be 3400 to 4700 residential units constructed in the Transbay terminal area. As these units are proposed primarily for the North side of Folsom Street, directly across the street from the projects under consideration, the additional impact of these units, as well as other aspects of the Transbay Terminal project, cannot be, as they largely are, ignored in the present EIR. . .

In addition, the EIR does not consider the impact of the buildings proposed in the Transbay EIR which projects 350-400 foot high buildings lining the north side of Folsom Street and concludes that Folsom Street, as a result of that construction, would "undergo the most visible change in the District." The cumulative effect of such buildings along with the present projects is not studied or visually depicted in the EIR by drawing, models or figures. . .

. . .[N]or does it discuss the cumulative effect on the neighborhood of the numerous additional adversely impacted intersections referred to in the Transbay EIR or the increased traffic on Folsom Street resulting from the modification of the Bay Bridge off-ramp which adds a second leg coming down to Folsom Street. . .

With the Planning Department projecting 7750 more residential units than would otherwise be built in the Rincon Hill Mixed Use District, and 3400 to 4700 more units projected as a result of the new Transbay Terminal project, primarily on the North side of Folsom Street, an additional population of at least 15,000 people more than would otherwise be expected would be living in this rather small area. The EIR needs to address how the needs of such a population for parks, schools, supermarkets, transit and other amenities will be met. (*Reed H. Bement*)

Response

The EIR includes considerable discussion and analysis of cumulative impacts. The analyses and results are presented under each topic where cumulative issues could reasonably be expected to arise. Cumulative impacts arise when impacts of two or more projects could cause related impacts (see CEQA Guidelines Section 15130(a)(1)). The EIR includes nearby development projects and proposals in the land use (pp. 90-91), visual (p. 107), transportation (pp. 132-138), air quality (pp. 147-148), and wind (pp. 167-168) analyses.

Under 2020 Cumulative Conditions, separate future traffic and transit conditions were developed to address the combined impacts of development under the requested rezoning and other proposed development and changes to the roadway network in the vicinity of the rezoned area. These 2020 Cumulative Conditions include but are not limited to development at the 333 First Street site (under construction), the proposed Transbay Terminal project, development in the proposed Transbay Redevelopment Area, development under the proposed Rincon Hill rezoning, the Folsom Street off-ramp project (specifically noted on pp. 133-134 of the EIR). Twenty-seven intersections in the larger neighborhood of the project site were analyzed under these cumulative conditions, with the results summarized in Table 5, p. 135. The results of the analysis of future cumulative growth in traffic and increase in transit use are discussed in the EIR on pp. 132-138.

As the EIR explains on pp. 134 and 136, 16 of the 27 intersections studied would operate at unacceptable LOS E or F under future cumulative conditions in 2020. At two of the study intersections, the 300 Spear Street project would contribute a substantial number of vehicles to critical movements while full development under the requested rezoning would contribute a substantial number of vehicles to critical movements at three study intersections. Thus, the requested rezoning and development projects would have significant cumulative traffic impacts that are identified in the EIR. Pages 136 and 138 of the EIR provide a discussion of cumulative impacts on transit services based on growth in the project vicinity, the rest of the City and the region, and concludes that the project would not contribute substantially to significant cumulative transit impacts.

The EIR provides a complete analysis of cumulative air quality impacts on pp. 147-148. As stated there, the project would not be considered to contribute incrementally to cumulative regional air quality conditions, and cumulative emissions would make a less-than-significant contribution to CO levels at study intersections. Additional detail is provided in the Responses to Air Quality comments, on pp. 272-273.

The Land Use, Zoning and Plans section of the EIR acknowledges the planning effort in the Transbay area on pp. 73-75. The EIR describes in detail existing and proposed residential development in the vicinity (see pp. 75-76 and Figure 23, p. 62). Figure 23 in the EIR is hereby updated to add proposed projects and reflect recent changes in nearby residential development (see Figure 23: Existing, Under-Construction, Approved, and Proposed Residential Developments in Rincon Hill SUD). As shown on Figure 23, the residential developments at 201 Folsom Street, 40-50 Lansing Street, 333 Fremont Street, 375 Fremont Street, 385 Fremont Street, and 425 First Street projects are among the recently proposed residential development in the Rincon Hill SUD area.¹⁰ Additional discussion of residential development is also provided under Land Use, Residential Density, pp. 227-230.

The following text revisions have been made in Section III.A, Land Use, Zoning, and Plan Consistency, to reflect recent changes in nearby residential development.

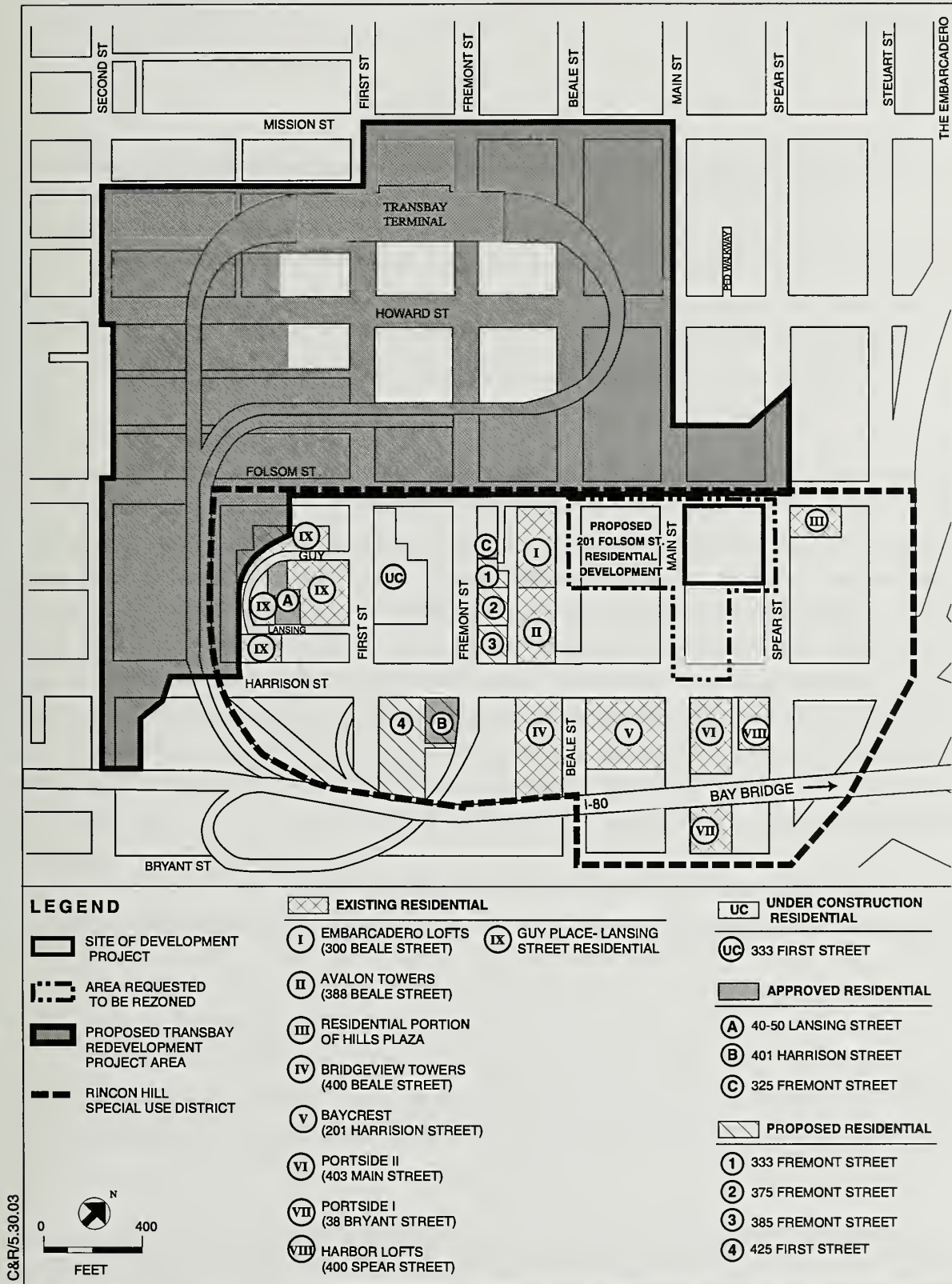
The second complete paragraph on p. 60 is revised as follows:

Residential developments in the near and mid-vicinity (within three to four blocks) of the requested rezoning area are the predominant uses to the south and west. They include Embarcadero Lofts (at 300 Beale Street), Avalon Towers (at 388 Beale Street), an approved residential development at 325 Fremont Street, **proposed residential developments at 333 Fremont Street, 375 Fremont Street, and 385 Fremont Street**, a residential development under construction at 333 First Street, **existing residential buildings surrounding Guy Place and Lansing Street**, and an approved residential development at 40-50 Lansing Street west of the requested rezoning area across Beale Street; and Harbor Lofts (at 400 Spear Street), **Portside I (at 38 Bryant Street)**, Portside II (at 403 Main Street), Baycrest (at 201 Harrison Street), Bridge View Towers at 400 Beale Street, an approved residential development at 401 Harrison Street, **and a proposed residential development at 425 First Street** south of the requested rezoning area across Harrison Street. (See Figure 23: Existing, Under-Construction, Approved, and Proposed Residential Developments in Rincon Hill SUD.)

A sentence has been added to the end of the paragraph at the top of p. 64, as follows:

Immediately west of First Street, about three blocks west of the development site, there are mainly low-rise multifamily residential buildings surrounding Guy Place and Lansing Street, with some corner and interior commercial and industrial uses, including a gas

¹⁰ The approved residential development at 401 Harrison Street is not a recent proposal; however, it is still active according to City files.



300 SPEAR STREET

2000.1090E

FIGURE 23 (REVISED): EXISTING, UNDER-CONSTRUCTION, APPROVED, AND PROPOSED RESIDENTIAL DEVELOPMENTS IN RINCON HILL SUD

station. **However, an 81-unit residential development has been recently approved at 40-50 Lansing Street.**

The third sentence in the first complete paragraph on p. 76 is revised as follows:

Three to four blocks west of the development site, the 342-unit building approved at 333 First Street will have a residential density of about one unit for each 111 sq. ft. of site area, and the 81-unit building approved at 40-50 Lansing Street will have a residential density of about one unit for each 250 sq. ft. of site area.

Many retail businesses such as grocery stores, delis, pharmacies, and dry-cleaning services, among others, are in walking distance of the 300 Spear Street site in Rincon Center and the South Beach area. A Farmers Market operates at the Ferry Building three blocks northeast of the site. A little further away, about eight to ten blocks north, a wide variety of neighborhood-serving retail and a supermarket can be found at the Embarcadero Center and Golden Gateway, respectively. A Safeway will open in Mission Bay at Fourth and Townsend Streets in the near future. Another grocery store is planned in the Yerba Buena Center a few blocks west of the project site. As noted in the comment, Rincon Hill is a burgeoning residential neighborhood; therefore, it is expected to attract more neighborhood services as the residential population of this area increases. Most existing and proposed residential developments in the Rincon Hill area already have ground-floor, neighborhood-serving retail services.

The existing visual character of the project vicinity includes the Transbay area, in the Visual Quality and Urban Design section on pp. 93-94. The visual impacts discussion in the EIR acknowledges on p. 107 the potential change in height limits in the Transbay Redevelopment Project area. If height limits of 350 and 400 feet considered for the proposed Transbay Redevelopment Plan area were adopted for the area north of Folsom Street (see *Transbay Termina/Caltrain Downtown Extension/Redevelopment Project Draft EIS/EIR*, p. 5-97), they would be compatible with the height limits requested for the rezoning project area. Additional discussion of scale, height and bulk is provided in the response to Visual Quality/Urban Design comments on pp. 241-242.

The wind analysis included nearby projects that are under construction or approved in the existing conditions scenario. As explained in Appendix D, the existing conditions scenario added buildings at 180 Harrison Street, 400 Beale Street, 301 First Street, 199 Fremont Street, the buildings at the corners of First and Howard Streets (Foundry Square), and 325 Fremont Street that were recently constructed, are under construction, or have been approved. It also included the recent additions to existing buildings at 345 Main Street (formerly 160 Harrison Street) and at

215 Fremont Street. The wind analysis was carried out with each development project added to the existing conditions scenario, and with both development projects included, the latter to provide wind impacts of development under the requested rezoning. A future cumulative scenario was also tested that included block models representing potential buildout in the Transbay Redevelopment Plan Area. The results of these various scenarios are summarized in the EIR on pp. 165-168. Thus, the EIR includes a detailed analysis of cumulative wind conditions, taking into account development in the surrounding area, including the 350- to 400-foot-tall buildings that could be built on the north side of Folsom Street under the Transbay Redevelopment Plan if it were approved. As discussed on p. 168, construction of buildings in the Transbay Terminal area would reduce ground-level winds in the requested rezoning area.

As explained on EIR p. 149, a shadow analysis performed for the Initial Study showed that the development project at 300 Spear Street would not cast new shadow on any properties under the jurisdiction of the Recreation and Park Department; the project would not result in significant shadow impacts under Planning Code Section 295. The shadow analysis, on EIR pp. 150-159, accounts for shadow from both development sites, at 300 Spear Street and 201 Folsom Street. Figures 31-34 show the combined shadow effects of both development projects. This analysis shows the most net new shadow that could occur from the proposed development. It is not possible to show specific shadow effects from potential development in the Transbay Redevelopment Plan Area, because the Redevelopment Plan has not been adopted and no specific development, with building designs, has been proposed.

In summary, detailed cumulative impacts analyses have been presented for all appropriate issues in the EIR.

D. STAFF-INITIATED TEXT CHANGES

This section presents a staff-initiated text change for the *300 Spear Street Draft EIR*. This change is made in Chapter IV, Mitigation Measures, to the Transportation discussion in Mitigation Measures That Could Be Required as Conditions of Approval.

The first sentence in the last paragraph on p. 172 is replaced with the following (new text is in bold):

Full build-out with the requested rezoning would **contribute considerably to 2020 future cumulative conditions and would have a significant impact** at three intersections: Main and Harrison Streets, Fremont and Harrison Streets, and Second and Folsom Streets.

EXHIBIT 1: COMMENT LETTERS

**REED H. BEMENT
75 FOLSOM STREET, #1800
SAN FRANCISCO, CA 94105**

November 18, 2002

Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Re: 201 Folsom Street
300 Spear Street

Dear Mr. Maltzer:

I am writing in response to the two Draft Environmental Impact Reports for the above two projects (hereafter collectively referred to as "EIR").. My wife and I have lived in the neighborhood where these two projects are located since 1992 and I am a member of the Transbay CAC.

As these two projects are drastically out of proportion and character to the existing and developing neighborhood, "substantially taller and larger" is the description used in the EIR, and would severely alter and damage the existing neighborhood, the EIR needs to be carefully reviewed by the involved public agencies for its adequacy and accuracy.

In the first instance, it is inappropriate to proceed with the certification process for the EIR unless and until any changes are adopted for the overall area as presently proposed by the Rincon Hill Mixed Use District plan (hereafter the "Plan"). The EIR differs from the Plan in, among other ways, by allowing greater building bulk, by authorizing less open space and by allowing double the amount of parking for residential units. As whatever action is taken on the Plan should control what is ultimately allowed on these two projects rather than the reverse, the planning process for the Plan should proceed first.

If the Planning Department is to proceed at this time even though it is premature, the EIR should, which it does not, take into account not only the impact of the two proposed projects but the impact as well of the adoption of the proposed Plan plus the existing and proposed development in the broader surrounding South of Market area.

As one example, under the Plan 7750 residential units plus substantial retail and office development would be built in addition to what would otherwise be built without the proposed

Mr, Paul Maltzer
November 18, 2002
Page 2

changes. This additional development must also be considered in the EIR if it is to provide a meaningful discussion of the impact on the neighborhood of the proposed projects. Obviously, the impact upon parking, traffic, air quality, visual quality, among other topics, is far greater when all the projected development is combined than when the analysis is restricted to only one or two projects. This again illustrates why the Plan should be first considered.

Finally in this regard, the continuing and proposed changes in the overall South of Market area need to be part of the EIR. Again, only as one example, the recent draft Environmental Impact Statement and Report for the Transbay Terminal/Cal Train Extension projects (hereafter the "Transbay EIRt") projects that in addition to huge increments in office and commercial space, there will be 3400 to 4700 residential units constructed in the Transbay terminal area. As these units are proposed primarily for the North side of Folsom Street, directly across the street from the projects under consideration, the additional impact of these units, as well as other aspects of the Transbay Terminal project, cannot be, as they largely are, ignored in the present EIR.

In addition, I have the following comments on the adequacy and accuracy of the EIR.

A. Land Use, Zoning and Plan Consistency.

The EIR does not consider the impact of removing the P zoning for these sites. These sites are the only sites so zoned in the present Rincon Hill Area Plan and the impact of not having them available for parks, schools, etc. is an important consideration in dealing with these projects.

The EIR fails to reflect that these projects deviate from and conflict with the following objectives of the existing Rincon Hill Area Plan.

Objective 4: To provide quality housing in a pleasant environment that has adequate access to light, air and open space.

Objective 7: To achieve an aesthetically pleasing residential community.

Although the projects provide housing, the EIR does not clearly reflect that they are inconsistent with the present housing in the area in that they would tower over the surrounding buildings by a measure of 2 to 1 or more and would eliminate or reduce a large part of the light and sun now enjoyed by that housing as well as by the other nearby buildings, streets and sidewalks. The subjective conclusion of the EIR that these projects would further these objectives is simply not borne out by the evidence presented.

Objective 9: To respect the natural topography of the hill and follow the policies already established in the Urban Design Element that restrict height near the water and allow increased

height on the tops of hills.

The proposed projects would require a reversal of this policy by placing the tallest buildings closest to the Bay. That this reversal is inherent in these projects is ignored in the EIR.

Objective 10: To preserve views of the Bay and the Bay Bridge which are among the most impressive in the region.

Objective 11: To maintain view corridors through the area by means of height and bulk controls which insure carefully spaced slender towers rather than bulky, massive buildings.

The EIR does not reflect how seriously these projects would obstruct rather than preserve views from surrounding buildings, including those already existing such as Hills Plaza, Embarcadero Lofts and Avalon Towers as well as those under construction or planned such as 333 First Street and 325 Fremont Street. In addition the views from the sidewalks and streets of the Bay Bridge and the Bay will be impeded as well as the views from the Bay Bridge.

In addition, the EIR does not consider the impact of the buildings proposed in the Transbay EIR which projects 350-400 foot high buildings lining the north side of Folsom Street and concludes that Folsom Street, as a result of that construction, would "undergo the most visible change in the District." The cumulative effect of such buildings along with the present projects is not studied or visually depicted in the EIR by drawing, models or figures.

B. Visual Quality/Urban Design

The subjective conclusion of the EIR that the projects "would not be substantially incompatible with the surrounding environment by introducing structures of substantially greater size, mass, and scale into the area" is contradicted by the objective facts presented concerning the height and bulk of the buildings in the surrounding area. Indeed, at another point the EIR notes that the requested rezoning permits "substantially taller and larger buildings" than are presently allowed and presently exist. The conclusion reached is, therefore, inaccurate.

This inconsistency also exists with the subjective conclusion that the proposed buildings create "continuity with the nearby existing and future buildings." To the contrary, the proposed buildings are double (or sometimes quadruple) the height of the nearby existing and proposed buildings.

Finally, in this regard, the subjective conclusion that the projects would not "result in significant adverse impacts on visual quality and urban design" is contradicted by the immediately preceding, and accurate, observation that the proposed buildings "would dramatically change the visual character of the site and vicinity and would not conform to the existing pattern of heights" in the area.

C. Open Space.

The Rincon Hill Area Plan calls for significant open space, including the widening of a number of sidewalks. The present projects not only calls for the elimination of the widening of sidewalks but, in addition, provides for 100% site coverage as compared to the existing allowable 80% coverage. Also, as previously noted, these projects provide for nearly 40% less open space than is called for by the Plan, and for one project the open space which is provided is at elevations of 16 and 20 feet above street level. Although these facts can be found with some difficulty in the EIR, the impact of these facts upon the neighborhood is not discussed.

D. Transportation

Although the EIR does recognize that the two projects will have a significant adverse impact on the traffic at three interesections, it does not discuss the increased traffic delays upon the existing intersection with unacceptable conditions nor does it discuss the cumulative effect on the neighborhood of the numerous additional adversely impacted intersections referred to in the Transbay EIR or the increased traffic on Folsom Street resulting from the modification of the Bay Bridge off-ramp which adds a second leg coming down to Folsom Street.

The EIR also fails to discuss the impact of the additional loss of parking (some 14% of available) which will result from the Transbay Terminal Project.

E. Population.

With the Planning Department projecting 7750 more residential units than would otherwise be built in the Rincon Hill Mixed Use District, and 3400 to 4700 more units projected as a result of the new Transbay Terminal project, primarily on the North side of Folsom Street, an additional population of at least 15,000 people more than would otherwise be expected would be living in this rather small area. The EIR needs to address how the needs of such a population for parks, schools, supermarkets, transit and other amenities will be met.

As the South of Market area is already where most all of the new housing in the City has recently been constructed and will continue to be constructed (e.g. Mission Bay), to allow an even greater percentage of the overall new construction for the City to occur there will adversely affect the quality of life for those who now or hereafter live and work in the area. The much higher density resulting from these projects should be specifically contrasted with the density of other residential areas of San Francisco to provide a meaningful discussion of what is proposed. The type of units to be offered and the anticipated price range need to be included in the EIR so that it can be determined whether there is a realistic need for such units in San Francisco. The large number of units presently available (e.g. Bridge View Towers, Yerba Buena Lofts, The Brannan), as well as those already approved or under construction (e.g. Mission Bay, 333 First

Street, 325 Fremont Street, 200 Brannan) should also be factored into this evaluation.

E. Fire and Safety.

The ability of the Fire and Police Departments to respond to fire and other emergencies for these buildings is not discussed in the EIR. It should be noted that the Transbay EIR refers to the existing availability of fire and emergency medical services and the need for additional fire suppression personnel should the Redevelopment component of that project go forward. No such discussion is included in the EIR. That discussion needs to be placed in the context of the Transbay Terminal project as well as the Rincon Hill Mixed Use District. Particularly important is information as to whether there is the capability of promptly responding to such emergencies on the upper floors of such tall buildings. In a post 9/11 environment for buildings next door to the Bay Bridge, with four towers far taller than any other buildings in the area, such concerns must, unfortunately, be addressed.

F. Construction Noise and Disruption.

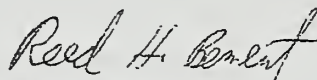
These two projects involve extremely major construction in an area which already has and is projected to have even more on-going large construction projects. Most importantly, in addition to the already underway 333 First Street project, the Transbay Terminal project is presently scheduled to begin construction at approximately the same time as the two subject projects. The Transbay Terminal project will reduce traffic lanes on the very streets here involved and will shift bus and other traffic to Folsom and may well result in the digging up of both Second and Main streets for a train tunnel. The Transbay Terminal itself, not even considering the development it is anticipated to produce, is a huge project which will involve a great deal of attendant noise, dust and the other disruptions caused by major construction. The impact of all of the construction that is planned for the area should be, but is not, included in the EIR, including the traffic congestion and discomfort to those who live and work in the area.

Those of us who now live in the neighborhood moved here on the representation of the City that the heights of buildings South of Market would gradually be scaled down from Market Street to China Basin and that no private buildings and no buildings of any sort of over 200 feet in height would be built on the sites under consideration. Over the past ten years a vibrant residential community has developed and continues to develop in the area. The neighborhood is not a "clean slate" for someone to experiment on with a design considered appropriate for an urban neighborhood. The building of downtown-sized office buildings in this area would destroy its intended and existing character. The EIR does not present a full and fair disclosure and discussion of the many issues raised by these projects so as to enable the public and the Planning Department to determine whether these projects are in the best interests of the neighborhood and the City.

Mr. Paul Maltzer
November 18, 2002
Page 6

I can be contacted at the above address or by telephone at 415/781-5088 (work) or 415/882-7871 (home).

Very truly yours,

A handwritten signature in cursive script that reads "Reed H. Bement". The signature is written in dark ink and is positioned above the printed name.

Reed H. Bement

REED H. BEMENT
75 FOLSOM STREET, #1800
SAN FRANCISCO, CA 94105

November 18, 2002

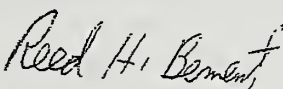
Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Re: 201 Folsom Street
300 Spear Street

Dear Mr. Maltzer:

I enclose a Petition signed by a number of residents who live close by to the above two projects. I ask that the Petition be made part of the official record for these projects.

Very truly yours,


Reed H. Bement

Enclosure

November 6, 2002

Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street
San Francisco, CA 94103-2414

Re: 201 Folsom Street and 300 Spear Street

Dear Mr. Maltzer:

All of the undersigned are residents who live nearby to the above two proposed projects. We are writing to express our objections to the proposed projects as described in the Draft of the Environmental Impact Report for those projects.

The proposed projects are of vastly greater height and bulk than is now permitted for buildings in this area, which is becoming increasingly residential, and would result in buildings disproportionate to those which presently exist or are under construction or already approved. Buildings of 350-400 feet (35-40 stories) would be approximately twice the height or more than what is presently allowed. In addition to creating a visual blight on the neighborhood, buildings of such height and bulk would severely and negatively impact the views, light and sun of everyone who lives, works or visits the neighborhood as well as adversely affecting the already difficult parking and traffic conditions.

Those of us who now live in the neighborhood moved here on the representation of the City that the heights of buildings South of Market would gradually be scaled down from Market Street to China Basin. Over the past ten years a vibrant residential community has developed and continues to develop in the area. The building of downtown-sized buildings in this area would destroy its intended and existing character.

We urge that the proposed projects be rejected.

SIGNATURE

PRINT NAME

ADDRESS

Reed H. Bement

Reed H. Bement

75 Folsom Street, #1800

Kendy H. Katz

RANDY H. KATZ

75 FOLSOM #1100

SIGNATUREPRINT NAMEADDRESS

<u>Marie Delepine</u>	<u>MARIE V. DELEPINE</u>	<u>75 Folsom #1105</u>
<u>Alexandra</u>	<u>ALEXANDRA OLIVER</u>	<u>75 Folsom #1201</u>
<u>Laura Sizemore</u>	<u>LAURA SIZEMORE</u>	<u>75 Folsom #1202</u>
<u>Will Rogers</u>	<u>Wm Rogers</u>	<u>75 Folsom #1105</u>
<u>Linda Kloves</u>	<u>Linda Kloves</u>	<u>75 Folsom #802</u>
<u>Bob Yoshida</u>	<u>BOB YOSHIDA</u>	<u>75 Folsom - Security</u>
<u>Judith Patterson</u>	<u>Judith Patterson</u>	<u>75 Folsom #807</u>
<u>Jeanne Lam</u>	<u>Jeanne Lam</u>	<u>75 Folsom #806</u>
<u>Steve Smith</u>	<u>Steve Smith</u>	<u>75 Folsom #1102</u>
<u>Anne Bement</u>	<u>Anne Bement</u>	<u>75 Folsom #1800</u>
<u>Sam Macdon</u>	<u>Sam Macdonore</u>	<u>75 Folsom St. #803</u>
<u>Gerald Houston</u>	<u>Gerald Houston</u>	<u>75 Folsom St 1200</u>
<u>CHERYL CHIN</u>	<u>CHERYL CHIN</u>	<u>75 FOLSOME APT #4</u>
<u>Patrick Hynes</u>	<u>Patrick Hynes</u>	<u>75 Folsom #1103</u>
<u>R. Leichus</u>	<u>R. LEICHUS</u>	<u>75 FOLSOM, #1402</u>
<u>ROGER ONOFFRE</u>	<u>ROGER ONOFFRE</u>	<u>75 FOLSOM - SECURITY</u>
<u>ROGER PATTERSON</u>	<u>ROGER PATTERSON</u>	<u>75 Folsom #807</u>
<u>TERRY CARLITZ</u>	<u>TERRY CARLITZ</u>	<u>75 FOLSOM #804</u>
<u>MICHAEL CARLITZ</u>	<u>MICHAEL CARLITZ</u>	<u>75 FOLSOM #804</u>
<u>TOM LEFEVRE</u>	<u>TOM LEFEVRE</u>	<u>229 BRANNAN ST. #16C, SF</u>
<u>Veronica Watson</u>	<u>Veronica Watson</u>	<u>75 Folsom #1500</u>
<u>David Davari</u>	<u>David Davari</u>	<u>75 Folsom #1001</u>

November 6, 2002

Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street
San Francisco, CA 94103-2414

Re: 201 Folsom Street and 300 Spear Street

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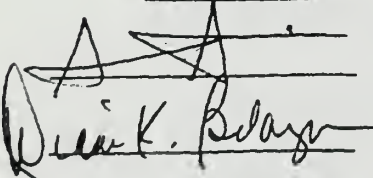
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We urge that the proposed projects be rejected.

SIGNATURE

PRINT NAME

ADDRESS

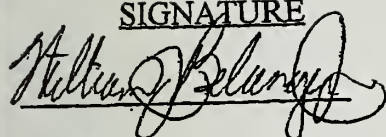


Allie Kharatbari

75 Folsom, #1001

Diane K. Belanger

75 Folsom #908

SIGNATUREPRINT NAMEADDRESS

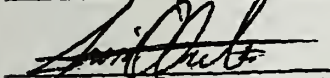
William I. Belanger, Jr

75 Folsom, #908

Tala M. Banat

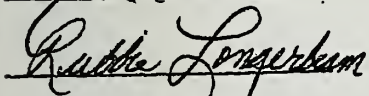
TALA M. BANATAD

75 Folsom, #1403



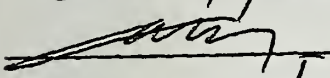
Jaime Olarte

75 Folsom, security



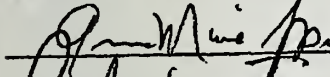
RUBBIE LONGERBEAM

75 FOLSOM-SECURITY



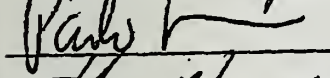
Eddie Wong

75 Folsom #1107



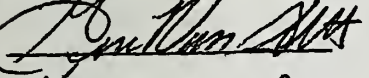
Anna M. SPICKER

75 Folsom #1602



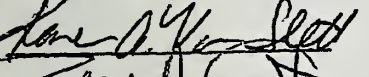
Paolo Marini

75 Folsom #1002



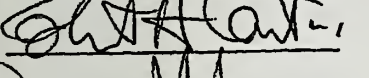
C. VANSLETT

75 Folsom #800



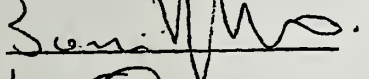
K VANSLETT

75 FOLSOM #800



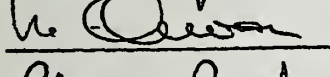
Robert A. Carter

75 Folsom #1400



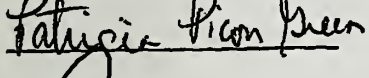
BOOBAE V. CARTER

75 Folsom #1400



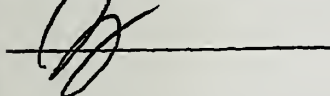
KONSTANTIN OUDOV

75 Folsom #1201



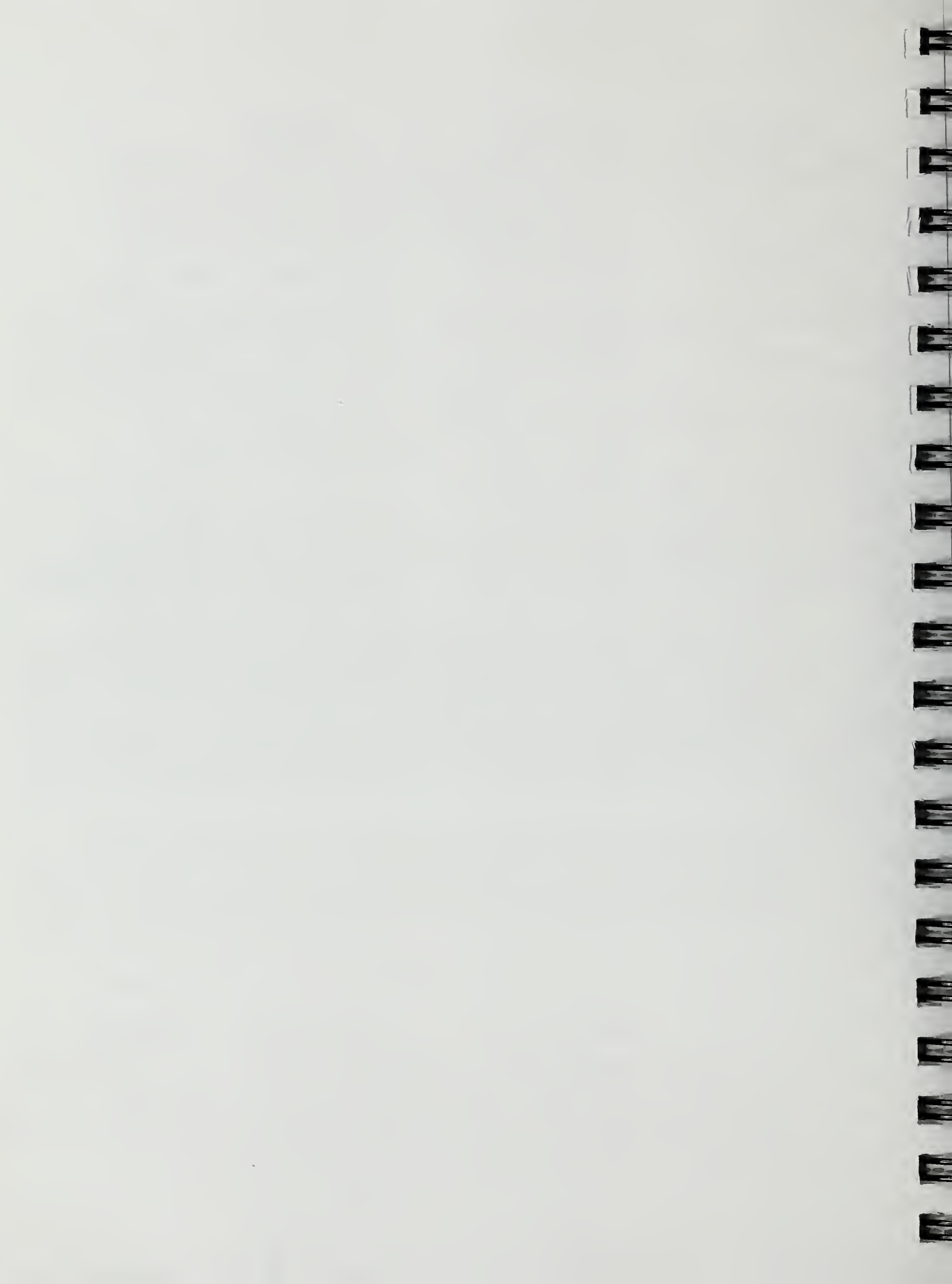
PATRICIA PICON GREEN

88 Howard St. #1916



John Kelly

75 Folsom #1400





BAYCREST
Residential Association

RECEIVED
DEC 02 2002
PLANNING DEPT
7:27 p.m.

December 2, 2002

Mr. Paul Maltzer
Environmental Review Officer
Planning Department
30 Van Ness Avenue, 4th Floor
San Francisco, California 94102

RE: Comments to DRAFT EIR, 201 Folsom and 300 Spear Street Projects

Dear Mr. Maltzer,

The following comments are those of the Board of Directors of BayCrest Towers Residential Association. These comments are a result of the Director's review of the Draft EIR for the 201 Folsom and 300 Spear Street projects. A sub-committee of the Board did meet with the Developer entities at a joint meeting on November 19th held at BayCrest. Please note: **these comments pertain to both projects unless specifically noted.**

Chapter III Environmental Settings and Impacts:

C. Transportation Study Area: The study area to the South ends at Bryant. By not going further South we believe a potential for problems exist without the inclusion of the Pier 30 & 32 Mixed-Use Project and the PacBell Ball Park impact of 80 games per year. These overlapping, in some cases, impacts should also include not only weekday but weekend and night games.

Intersection Operating Conditions: It is our understanding that intersection LOS were established with Beale Street in its current status, of being closed under the I80/BayBridge, this status will change eventually and we would ask for a revised LOS be prepared. This would show Beale Street open to thru traffic, one-way from Howard to Bryant Street as the designated Car-Pool Lane from the Financial District (3pm to 7pm M-F) to the lower deck of the Bay Bridge.

This on-going closure has put an undue strain on Main Street for both vehicle and pedestrian traffic. We believe significant impacts to both occur on Main especially from Harrison North on Main for at least 1 block. Mitigation in this area will be critical.

Tables 4 & 5: The intersections of both Bryant/Main and Bryant/Beale have recently been signalized and the data should be adjusted accordingly.

Loading 201 Folsom St: The placement of Loading Bays on Beale Street with the existing mid-block closure will create a dangerous situation. Beale Street pre 911 was a one-way street, because of its status as a "Postal Road", the multi bay dock currently used by the Post Office adjacent to 201 Folsom was an Ideal set up which did not require 18 wheeled trucks to turn around in the street. Now this is standard practice and it creates a hazard for the cars using Beale Street that is now configured as a two-way street. When a large truck is on Beale Street it cannot turn around and in many instances it must back down Beale Street to Folsom to turn around. The EIR should explore relocation of the Bays to Main Street as mitigation.

Chapter IV. Mitigation Measures

Construction Mitigation: We request that construction mitigation's be called for in the EIR that are identical to the mitigation's agreed to and used by the S.F. Giants during the construction of Pac Bell Park. A great deal of thought and time was put into developing those mitigations and they worked effectively for both the surrounding community and the project owner and contractor.

Chapter VI, Alternatives to the Proposed Project

B. Alternative B: No Traffic Impacts: We request that the aforementioned comments relate and be revised to pertain to Alternative B.

C. Alternative C: Existing Height and Bulk Controls: We request that the aforementioned comments relate and be revised to pertain to Alternative C.

D. Alternative D: Reduced Development Under Requested Rezoning: We request that the aforementioned comments relate and be revised to pertain to Alternative D

Impacts: We would request that the three alternatives B, C&D have the inclusion of massing models and /or photo simulations so as to asses the impact of the designs of each on public views. We also request that the EIR should include massing models and/or photo simulations for the currently allowable height limits and density requirements for the site. Comparison of these with the massing model/photo simulations of the B, C&D Alternatives will provide for a more complete assessment of the impacts on public views for each and provide for a more thoughtful analysis of the alternatives to the proposed projects.

On behalf of the Board of Directors and Owners of BayCrest, thank you for considering these comments to the Draft EIR for the 201 Folsom and 300 Spear Street Projects.

Sincerely,



Andrew Phipps Brooks
General Manager

RECEIVED
DEC 02 2002
PLANNING DEPT
4:5 p.m.

Bobbie Carter
75 Folsom Street, Unit 1400
San Francisco, CA 94105

December 2, 2002

Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Dear Mr. Maltzer

Re: 201 Folsom Street and 300 Spear Street

As a resident of the Rincon Hill area, I am writing to express my concerns regarding the above projects. I attended the Planning Department's meeting which addressed the adequacy and accuracy of the draft environmental impact reports (EIR) for both projects. I left the meeting feeling very disturbed by what I regarded as misinformation of issues.

I am not opposed to continued development of the Rincon Hill area. It is a wonderful mixed-use environment, and it should remain such! I do not feel that the opposing views were clearly stated, and I would like to address a number of issues.

As a general point, it would be irresponsible to move forward with either of these two projects until an overview of proposed and/or planned projects are reviewed and considered in total – Such projects include the Transbay Terminal/ Caltrain Extension projects which will add 3400 to 4700 residential units, in addition to office and commercial space. Please note that the Rincon Hill Mixed Use District Plan, and the EIR is out of step. The EIR is isolating these two projects, and not giving proper consideration to the combined effects of all projects - Greater building bulk, increased pollution, traffic congestion, reduced parking, decreased open space, compromised sunlight, and increased wind intensity.

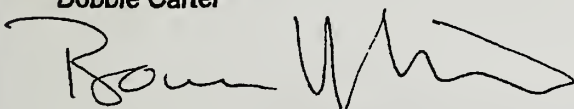
The EIR contains numerable inconsistencies and omissions, which are apparent upon close examination. Many of these are highlighted in the letter to you by Mr. Reed H. Bement, dated November 18, 2002.

I would like to pinpoint an additional crucial item. San Francisco is a unique city, and our waterfront is precious. To change current zoning to permit height restriction increases would be disastrous, and compromise the integrity of the waterfront. The existing guidelines were established to preserve our waterfront and surrounding areas.

I ask the S.F. Planning Department to take a hard look at the existing Draft EIR, and consider the inadequacies and omissions. It would be tragic to allow ourselves to be controlled by the power of developers. At the public hearing on November 26, 2002, it was obvious that the PR machinery of the developers was already well geared up.

Progressive growth and development are vital components of our future. Let us expand our community with respect for our history, preservation of our environment, and optimal use of our natural resources. Please consider the importance of a more complete and detailed EIR addressing the areas of concern in total.

Bobbie Carter





Environmental Review Officer
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103

November 6, 2002

Dear Mr. Maltzer:

After reviewing the Draft Environmental Impact Reports (EIR) for the projects at 300 Spear and 201 Folsom, I believe the negative impact that these projects will have on the area have not been adequately addressed and have strong doubts that these projects, as they are currently proposed, will support some of the Planning Department's objectives.

The following are some of my concerns and questions:

1. The EIR indicates that full build-out of the two projects would negatively impact three traffic intersections. However, since the scale ends at delays longer than 60 seconds, it is not clear just how severely these three intersections will be affected. Will it be two, three or twenty minutes? Hours? I also find it misleading, to identify just the three intersections that will fall into the F level as significant. With these projects, a total of **EIGHT** intersections will fall into the E or F level (undesirable and unacceptable, respectively).

What about those intersections that are currently rated F? It is not clear how long the current delays are and how much longer the delays will become. Just how many F rated intersections can we really tolerate in this area before it becomes a crisis and how many more F rated intersections will there be if we take into consideration the other proposed or approved projects like 333 First Street?

2. The EIR states that if the projects were completed in 2002, there would be a significant air quality impact with ROG (reactive organic gasses) and NOx (nitrogen oxides) exceeding BAAQMD's limit of 80 pounds per day. The report attempts to conclude that this would not be an issue in 2003-4 because of improvements in the statewide automobile fleet, attrition of older vehicles and improved fuel mixtures. Where is the evidence for this conclusion? What are the current ROG and NOx production units per day and how many more pounds of ROG and NOx will these projects bring into our environment? The air quality data in Table 8 of the 300 Spear EIR shows no trend in the reduction of pollutants over the 1995 - 2000 period. How can we reasonably conclude air quality will improve without any evidence?
3. The EIR also did not address the San Francisco Fire Department's capacity to handle **FOUR** additional high-rises in this city. Fires in high-rises require a very large number of fire fighters/rescue workers because of the need to move heavy rescue equipment up many flights of stairs. Will there be enough fire fighters/rescue workers available to handle emergencies in one or more of these towers? Fires typically follow major earthquakes, what will happen if we have another major earthquake?
4. The EIR clearly indicates these projects will affect traffic conditions, air quality, wind intensity and light quality, but there is no indication of the cumulative affects of these and other proposed/approved projects in the area such as 333 First Street. If the planning department does not critically evaluate the cumulative affects, who will?

The Planning Department's mission is, "...the orderly and harmonious use of land, and improved quality of life for our diverse community and future generations." I am not convinced these projects support this mission. I also believe they violate several of the department's objectives for the area.

Objective 4: TO PROVIDE QUALITY HOUSING IN A PLEASANT ENVIRONMENT THAT HAS ADEQUATE ACCESS TO LIGHT, AIR AND OPEN SPACE

The shadows from the towers will certainly reduce the amount of light access and air quality will diminish for everyone in the area. The existing open space will be occupied by these projects and the towers will most nearly completely enclose 300 Beale and significantly reduce its residents' light quality.

Objective 7: TO ACHIEVE AN AESTHETICALLY PLEASING RESIDENTIAL COMMUNITY

The height and scale is inconsistent with the other buildings in the area and will in no way complement or enhance the aesthetics of the existing residential community.

Objective 9: TO RESPECT THE NATURAL TOPOGRAPHY OF THE HILL AND FOLLOW THE POLICIES ALREADY ESTABLISHED IN THE URBAN DESIGN ELEMENT WHICH RESTRICT HEIGHT NEAR THE WATER AND ALLOW INCREASED HEIGHT ON THE TOP OF HILLS.

The rezoning along with height and bulk changes proposed is not on the top of the hill and may very well dwarf the existing structures on the top of Rincon Hill.

Objective 24: TO PROVIDE SUFFICIENT OFF STREET PARKING SPACE FOR RESIDENTS.

According to the EIR, there will be fewer parking spaces available to the public than currently exists.

Objective 26: TO REDUCE CONGESTION AT BRIDGE RAMPS BY IMPROVING LOADING PATTERNS.

According to the EIR, the project will create more traffic congestion at three intersections.

I question the benefits these proposed projects will bring. Ignoring the impact, especially those relating to health and safety, is negligent and I urge you and your colleagues at the Planning Department to reconsider appropriateness of these proposals.

Regards,



Alexandria Chun



Department of Toxic Substances Control



Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Don H. Hickox
Policy Secretary
California Environmental
Protection Agency

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OCT 18 2002
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October 18, 2002

Mr. Paul Maltzer
Environmental Review Officer
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103

Dear Mr. Maltzer:

Thank you for the opportunity to review the draft Environmental Impact Report (EIR) for the 300 Spear Street Project (SCH#2001072091). The project is located on the south side of Folsom Street between Spear and Main Streets in San Francisco, San Francisco County. As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a resource agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required characterization and remediation activities which may be required to address any hazardous substance release.

The CEQA document is for a proposed 1.7 acre mixed use development of approximately 1,560,000 gross square feet (gsf), consisting of up to 820 dwelling units, about 60,000 gsf of retail space, about 50,000 gsf of office space, and approximately 960 underground parking spaces. This project will require rezoning of the property.

DTSC offers the following comments for your consideration:

1. The initial study indicates that soil and groundwater sampling has been conducted at the Site, however the sampling locations, sampling depths and analytical results were not included in the EIR. Therefore, DTSC was unable to determine whether the site contained hazardous substances which would need to be addressed prior to construction of any proposed development. This property appears to be located in an area which was formerly known as "Coal Tar Flats" due to the discharge of manufactured gas plant wastes into this area. Sampling results from nearby properties has indicated the presence of manufactured gas plant wastes and other hazardous substances in the subsurface.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

2. As the initial study did not indicate the sampling results, it is unclear whether sufficient sampling has been conducted to test for potential contaminants from past operations at and/or near the Site. DTSC is also unable to determine whether the soil would be classified as a hazardous waste for disposal purposes and whether any land disposal restrictions would be applicable.
3. It appears that the project involves the installation of an underground parking garage. As noted in the EIR (page 175, Section IV, Hazards, Paragraph 2), if chemicals are present at significant levels, air monitoring will be required during excavation to ensure that nearby workers, pedestrians and others are not adversely impacted during the implementation of any required remedial action. However, the EIR should clearly indicate whether chemicals-specific sampling will be conducted and the standards against which analytical results will be evaluated to determine if additional actions must be taken or if work should be halted.
4. The mitigation measures indicated on page 173, Section IV, Construction Air Quality, are specific to particulate emissions. As the sampling results were not provided, DTSC cannot ascertain whether this mitigation measure to reduce particulate emissions would be sufficient to protect the public from exposure to chemicals present at the Site.
5. Contamination at the Site must be addressed as part of the development project or prior to development. If chemicals remain in soil and/or groundwater following development at levels which pose a significant risk to public health and/or the environment or if cleanup goals for this Site are based upon an exposure scenario other than unrestricted land use, land use restrictions which run with the land should be required. The land use restrictions should be written to require that subsequent owners or occupants of the property are informed about conditions at the Site and to ensure that any remedy installed at the Site remains protective of public health and the environment.
6. Based upon the language in the EIR, Page 175, Section IV, Hazards, the Site must be cleared of all hazardous materials prior to initiation of construction of the development project. Please verify that the definition of "hazardous materials" is consistent with California Health and Safety Code 25260(d) or 25501(o). The EIR identifies the San Francisco Department of Public Health as the lead agency for response actions associated with hazardous materials at the Site. Therefore, DTSC recommends revising the EIR to require the following activities prior to initiation of soil movement at the Site: 1) San Francisco Department of Public Health (DPH) concurrence that the Site has been adequately characterized; and 2) DPH approval of a site mitigation plan for the development Site. DTSC further recommends revising the EIR to require DPH concurrence and approval of the

report stating that all hazardous materials have been removed from the development Site prior to initiation construction activities on the development Site. DTSC or the San Francisco Bay Region, Regional Water Quality Control Board (RWQCB) may also provide oversight for site characterization and/or response action implementation. If the Draft EIR is subsequently revised and will not require removal of all hazardous materials from the development Site, we request an opportunity to review and provide comment upon the revised language.


7. The EIR (page 175, Section IV, Hazards, Paragraph 3) indicates that the report stating that all hazardous materials have been removed from the development site and describing the steps taken to comply with this mitigation measure must be certified by a Registered Environmental Assessor or similarly qualified individual. The report must also comply with the California Business and Professions Code. All engineering work must be certified by an appropriately registered California professional engineer. All geological work must be certified by a California registered geologist or certified engineering geologist. The report must also contain sufficient information for regulatory agencies to verify that all hazardous materials have been removed. This should include copies of hazardous waste manifests, bills of lading, figure(s) showing sampling locations, and all analytical results, including but not limited to those for soil confirmation samples, groundwater analytical samples, and waste characterization samples. Tables should be used to ease review.
8. The EIR (Page 39, Section II, Development Project, Paragraph 1) indicates that there will be a five-level underground parking garage under the entire development site. It would require excavation to a depth of about 66 feet below street grade and would result in the removal of about 185,000 cubic yards of soil (Appendix A, Initial Study, Page 32). Groundwater is expected to be encountered about 7.5 to 14 feet below the ground surface. Therefore, DTSC has the following concerns:
 - A. Given the size of the development project, it is likely that dewatering will influence groundwater in the area. DPH approval of an analysis to determine the potential impacts of this dewatering on areas of known groundwater contamination should be required prior to initiation of soil movement at the Site.
 - B. Groundwater analytical results from the Site were not provided in the EIR, although the Initial Study indicates that groundwater has been sampled and analyzed. Therefore, it is unclear what, if any, treatment would be required, whether treatment would occur onsite or offsite, whether there is sufficient space within the footprint of the development project to conduct these activities, and whether a permit is required for the treatment system.

Mr. Paul Maltzer
October 18, 2002
Page Four

9. Please clarify how the environmental impacts of any required response actions will be analyzed and addressed within the California Environmental Quality Act process. For example, if the response actions include the need for soil excavation, a CEQA-compliance document should be developed and include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local, state or federal standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) the risk of upset should there be an accident at the Site.

Please contact Janet Naito of my staff at (510) 540-3833 if you have any questions regarding this letter.

Sincerely,



Barbara J. Cook, P.E., Chief
Northern California - Coastal Cleanup Operations Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther Moskat
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

Ms. Stephanie Cushing
San Francisco Department of Public Health
1390 Market Street, Suite 210
San Francisco, California 94102

Mr. Ben Helber
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103



"Pat Fodor"
<pat.fodor@sbcglobal.net>

11/24/2002 06:34 PM

To: <paul.maltzer@sfgov.org>
cc: <shelley.bell@sfgov.org>, <michael.antonini@sfgov.org>, <edgar.boyd@sfgov.org>, <lisa.feldstein@sfgov.org>, <kevin.hughes@sfgov.org>, <sue.lee@sfgov.org>, <william.lee@sfgov.org>, <linda.avery@sfgov.org>, <gerald.green@sfgov.org>, <debbie.davis@sfgov.org>, <ben.helber@sfgov.org>, <tom.anniamo@sfgov.org>, <chris.daly@sfgov.org>, <clarkm@hellermanus.com>

Subject: Items 2000.1090E and 2000.1073E to be Reviewed at the Nov. 26 Public Hearing

Environmental Review Officer
San Francisco Planning Department
1660 Mission Street
Suite 500
San Francisco, CA 94103

Re: Items 2000.1090E and 2000.1073E (Items 5 and 6, respectively on the Nov. 26 Commission Agenda)

Dear Mr. Maltzer:

Unfortunately, I am unable to attend this Tuesday's Planning Commission Meeting, at which I understand that you and the members of the Department will review the above-referenced items. In this regard, I am objecting to the associated re-zoning of these parcels for the following reasons:

- (1) The Draft Environmental Impact Reports for 300 Spear and 201 Folsom, respectively, admit that these projects will negatively impact three traffic intersections; when, in fact, eight will be impacted.
- (2) The Reports acknowledge that the air quality will diminish further to levels that have not been addressed.
- (3) The Reports indicate that, in addition to traffic and air quality, these projects will affect wind intensity and light quality -- all of which are inconsistent with the overall mission of the Planning Department, and therefore do not justify the re-zoning.
- (4) The height, scale and bulk of these buildings, not to mention the additional burdens which four more high-rises will place on the San Francisco Fire Department, cannot be considered complementary to the existing or even planned residential communities.
- (5) Finally, re-zoning of these parcels cannot and should not be considered independent of the larger, and far more significant Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (Item 2000-048E), which will have an even greater impact on the above-mentioned issues.

It will be irresponsible for the Planning Department to consider anything other than the rejection of the requested re-zoning of these two parcels. I look forward to your acknowledgement that my opinions will become a matter of record at Tuesday's Public Hearing. Thanks in advance.

Regards,

Patricia J. Fodor
Homeowner
75 Folsom Street #1203
San Francisco, CA 94105-6104
+1(415)640-4027
pat.fodor@sbcglobal.net

Helber

Peter Hartman, AICP
300 Third Street, No. 310
San Francisco, California 94107

November 22, 2002

Ms. Shelly Bradford-Bell
President, San Francisco Planning Commission
1660 Mission Street
San Francisco, CA 94103

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CITY & COUNTY OF S.F.
DEPT. OF CITY PLANNING
ADMINISTRATION

Dear President Bradford-Bell:

I am writing in support of maintaining the current 1:1 off-street minimum parking requirement for the proposed residential development projects at 300 Spear Street and 201 Folsom Street. I understand that the San Francisco Planning Department is considering applying a maximum parking requirement which is less than the current 1:1 minimum, resulting in less than one parking space per unit for both projects. As a resident of the neighborhood and a resident of a nearby high-rise, mixed-use building, I believe that this would be a mistake.

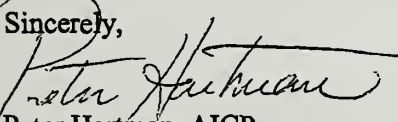
First, the current 1:1 requirement is already below not only national and state automobile ownership ratios, but also below the ratio for San Francisco. As currently reported by the US Department of Transportation and the California Department of Finance, the average number of automobile registrations per household is 1.78 for the US, 1.65 for California and 1.12 for San Francisco. A 1:1 requirement, or 1.0 autos per household, is already lower than the city's. A more restrictive maximum parking requirement to discourage current levels of automobile ownership is unnecessary, the current regulations already do this.

But I feel there is a second, and at least as important reason, for maintaining the current ratio, and that is personal choice. Developing one parking space per unit will allow each resident the opportunity to keep an automobile or not. The choice will be up to the individual. A powerful argument for projects of this scope is the availability of alternative transportation modes in the area. And I'm sure many residents will take advantage of this. One of the benefits of center-city living is the wide range of transportation choices available. I believe that public policy should provide citizens with greater opportunities and options, not fewer. Not providing parking for some units will narrow transportation options for those individuals. It should certainly be up to the individual, not the state, to make personal transportation decisions.

Finally, I myself live in a high-rise building similar to the two under consideration. Each unit in our building has access to one parking space. I own an automobile that I keep there. But because of the transportation options available to me (including walking to work) I use my car almost exclusively on weekends for trips that would be difficult if not impossible by other means. And I know that my situation is typical of many if not most of the residents of the other 232 units in our building. The idea that residents will eschew public transit for automobiles by virtue of having unrestricted access to an automobile is wrong.

The present 1:1 parking requirement strikes a reasonable balance between restricting automobile access and preserving individual choice, and in this location should not encourage auto use at the expense of alternative transportation modes. Both projects should provide 1:1 residential off-street parking.

Sincerely,


Peter Hartman, AICP

**Peter Hartman, AICP
300 Third Street, No. 310
San Francisco, California 94107**

cc: Gerald Green
Director, San Francisco Planning Department
1660 Mission Street
San Francisco, CA 94103

Alex Clemens
Project Consultant, 300 Spear
Reputation LLC
1375 Sutter Street, Suite 330
San Francisco, CA 94109



1145 Market St, Ste 402. • San Francisco, CA 94103 • (415) 934-3999 • Fax: (415) 934-5747

To: Paul Maltzer, Major Environmental Assessment
Through: Peter Straus, Mgr. of Service Planning
From: James D. Lowé, Transit Planner
Subject: 300 Spear Street; 2000.1090E
Date: 7 Oct. '02

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PLANNING DEPT

The San Francisco Municipal Railway Service Planning staff have the following comments regarding the mixed use project proposed at 300 Spear Street.

In general, we support the construction of housing in the downtown as a land-use policy. We believe an increase in residential densities will bring more "life" into the downtown during the evenings and weekends.

Muni utilizes a cumulative approach whereby 63 passengers equals one coach of demand with the system assumed at capacity. The project will generate 220 new outbound PM peak trips, this equates to 3.5 coaches of demand. The residential work trips are generally considered mitigated at the office end of the trip.

The office portion of the project is subject to the Transit Impact Development Fee (TIDF), this will mitigate the impact of the new office-generated trips.

As noted in the report, since parking demand exceeds the number of parking spaces being supplied by the project sponsor, it behooves the project to offer TSM incentives. This should include: City CarShare, CommuterChex and perhaps incentives to residents that do not own cars. For example, offering cash back to residents that do not own a car nor use their designated parking space is one possible idea.

Prior to the construction phase, please contact our Street Operations and Special Events Office at 554-9286 to coordinate construction activities and mitigate transit delays.

Cc: F. Stephens, Gen. Mgr.
P. Straus, Mgr. Service Planning
S. Nickerson, TIDF Coordinator
JDL, SP Chron

November 25, 2002

To: Paul Maltzer
Environmental Review Officer
Planning Department
City and County of San Francisco

RECEIVED
DEC 03 2002
PLANNING DEPT

From: Konstantin Ovodov, M.D.
75 Folsom Street #1201
San Francisco, CA 94105
kovod@yahoo.com

Dear Mr. Maltzer:

I am a resident at One Hills Plaza and I write this letter to you to express my strongest objections to the approval of the Draft Environmental Impact Report (EIR) for the proposed 300 Spear project as part of the Rincon Hill development.

My objections are based on the following air quality data published in EIR that is available for a public review. I want you to pay a close attention to what I have to say since it concerns the most important issue – the health of individuals living in the area of proposed development.

1. P. 147 of EIR states **“Combined emissions from full development on the two sites in the rezoned area (201 Folsom Street and 300 Spear Street) would slightly exceed 80 pounds per day for ROG (85 pounds per day) and NO_x (81 pounds per day) if all development were completed and occupied in 2002.the total emissions would drop below 80 pounds per day threshold by 2003-04 due to improvements in the statewide automobile fleet, attrition of older, high-polluting vehicles and improved fuel mixtures. Therefore it is reasonable to conclude that the ... threshold would not be exceeded with full development under requested rezoning, as construction is not proposed to commence prior to 2003. Therefore, emissionswould have less-than-significant impact on regional air quality.”**

First, the statement is made that the emissions (air pollution) would exceed safe limits if the projects were completed today. It, therefore, would cause a significant air quality impact. The relationship between air pollution from car emissions and health are well known and range from minor respiratory ailments to severe respiratory compromise in sensitive individuals and increased cancer risk. Scientific literature is abundant with supporting data and some references are cited below.

Then, follows the statement that total emissions would drop below the unsafe limits due to improvements in the automobile fleet, attrition of older, high-polluting vehicles and improved fuel mixtures. This particular statement has no accuracy, validity and is deceiving. If you look at the table on page 141, that

follows the levels of air pollution in San Francisco from 1995 to 2000, you will notice no trend of decreasing pollutants' levels over the past six years. The statement in the EIR that interprets this data is correct - "**no clear-cut trend**". Why is it, that for the past 6 years with ongoing improvements in the automobile fleet, attrition of older, high-polluting vehicles and improved fuel mixtures did we not measure a decreasing trend in air pollutants' levels? How does one arrive at the conclusion that in the next 3-4 years the air pollution from cars will decrease, since we did not see that happen for the past 6 years? I hope you agree that there is no logic to the conclusion of the EIR on this most important matter. It is most disturbing that whoever analyzed the air quality data would present this false conclusion.

2. What follows next deals with the consequence of a false conclusion. As you have seen, there is no valid data to support the claim that these projects will be safe in terms of air quality, i.e. will present a significant impact. "**... the project impact would be considered significant if it caused operation-related emissions equal to or exceeding an established threshold of 80 pounds per day of ROG, NOx or PM10....**" (p. 143) I also remind you that our area, being residential and hosting several child care facilities, falls under a definition of "sensitive receptors"(see p.139, 143) and may not tolerate even an "occasional" rise above the safe threshold levels of air pollution by definition.

Considering the abovementioned facts, it would be negligent to ignore such a public health hazard. I do hope that there is no intent to deceive the public and I hope that this letter will stimulate a serious approach to this important issue and a revision of the proposed plan.

Another important issue is that the current EIR is completely silent about a potential air quality impact of the future projects in the immediate vicinity that are planned: Transbay terminal, new cruise terminal, Folsom Street off ramp etc. No doubt all these projects will bring escalating levels of air pollution beyond those exceeding safe threshold that are specified in the current EIR.

Please, consider this as an informing and an advisory statement. Any future progress of these projects without solid scientific proof of safety of air quality impact will be negligent and considered intentional. In case you missed it, there are many features of this issue that parallel the cases faced by the tobacco industry in recent years, that have resulted in multi-billion dollar claims for the negative health impact of inhaled tobacco pollutants.

Please accept in advance the gratitude from my neighbors and me for your effort to resolve this matter.

Sincerely,



Konstantin Ovodov.

p.s. In addition to the child care facility at Hills Plaza mentioned in the EIR, there are at least two others that should also be noted. There is one at 220 Spear Street and another on Mission Street between Main and Beale (in the PG&E building).

References:

1. Raaschou-Nielsen O. et al. Air pollution from traffic at the residence of children with cancer. *American Journal of Epidemiology*. 153(5):433-43, 2001
2. Nyberg et al. Urban air pollution and Lung cancer in Stockholm. *Epidemiology*. 11(5):487-95, 2000
3. Kunzli N et al. Public health impact of outdoor and traffic-related air pollution: a European assessment. *Lancet* 356(9232) 795-801, 2000
4. Buckeridge DL et al. Effect of motor vehicle emissions on respiratory health in urban area. *Environmental Health Perspectives*. 110(3):293-300, 2002

November 6, 2002

Mr. Paul Maltzer
Environmental Review Officer
S.F. Planning Department
1660 Mission Street
San Francisco, CA 94103-2414

Re: 201 Folsom Street and 300 Spear Street

Dear Mr. Maltzer:

All of the undersigned are residents who live nearby to the above two proposed projects. We are writing to express our objections to the proposed projects as described in the Draft of the Environmental Impact Report for those projects.

The proposed projects are of vastly greater height and bulk than is now permitted for buildings in this area, which is becoming increasingly residential, and would result in buildings disproportionate to those which presently exist or are under construction or already approved. Buildings of 350-400 feet (35-40 stories) would be approximately twice the height or more than what is presently allowed. In addition to creating a visual blight on the neighborhood, buildings of such height and bulk would severely and negatively impact the views, light and sun of everyone who lives, works or visits the neighborhood as well as adversely effecting the already difficult parking and traffic conditions.

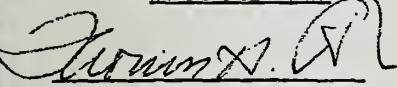
Those of us who now live in the neighborhood moved here on the representation of the City that the heights of buildings South of Market would gradually be scaled down from Market Street to China Basin. Over the past ten years a vibrant residential community has developed and continues to develop in the area. The building of downtown-sized buildings in this area would destroy its intended and existing character.

We urge that the proposed projects be rejected.

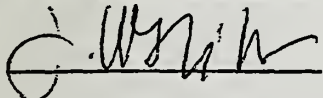
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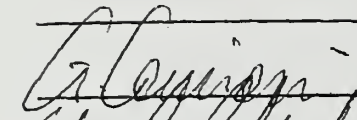
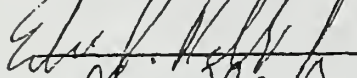
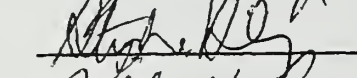
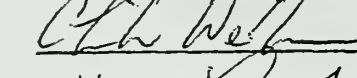
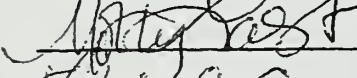
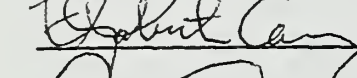
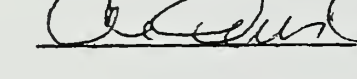
ADDRESS



THOMAS BURKHARDT 461 2ND ST #151, SF, CA



JORGE CASTILLO 461 2ND ST. #255
San Francisco
CA.

SIGNATUREPRINT NAMEADDRESSGEORGE CANCELANI461 ~~SECOND~~ ST 459 SFEdward J. Pollok Jr.461 2nd St. #104 SF 94107Stephen Hiley461 2nd St. #134 SF 94107Chik We Mou461 2nd St. #106 SF 94107Molly Last461 2ND St #113 SF 94107Elizabeth Carney461 2nd St #459 SF 94107ANNA EVANS" " #336 "

DEPARTMENT OF TRANSPORTATION

O. BOX 23660
OAKLAND, CA 94623-0660
10) 286-4444
10) 286-4454 TDD



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October 29, 2002

SF-080-5.56
File #SF080108
SCH #2001072091

Mr. Benjamin C. Helber
Planning Department
City and County of San Francisco
1660 Mission Street, Suite 500
San Francisco, CA 94103-2414

Dear Mr. Helber:

300 Spear Street – Draft Environmental Impact Report (DEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the above-referenced project. We have reviewed the DEIR for the residential, retail, and office space development, including rezoning, and have the following comments to offer.

Our primary concern with this project is the potential traffic impact it may have to State transportation facilities, namely Interstate 80 (I-80) and its on-ramps and off-ramps. In the Summary section of the DEIR (page 8) where traffic mitigation is addressed, we question statements such as, "The (traffic) impacts would be significant and unmitigable." The DEIR should address all possible mitigation measures, including impact fees. To state that the project sponsor "may" be requested to contribute to a new Integrated Transportation Management System (ITMS) undermines the need to relate all traffic impacts with appropriate mitigation.

We would like to review the traffic study for this project to better assess its traffic impacts. Please forward a copy of the traffic study to:

Paul Svedersky
Associate Transportation Planner
Caltrans Office of Transportation Planning B
P.O. Box 23660
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call Paul Svedersky or my staff at (510) 622-1639.

Sincerely,

TIMOTHY S. SABLE
District Branch Chief
IGR/CEQA

Lloyd Schloegel
Ch General Delivery
SAN FRANCISCO, CALIF.

Letter to Planning
Commission, and
SAN FRANCISCO BOARD OF
Supervisors
SAN FRANCISCO, CALIFORNIA

November 26, 2002

Comments on 300 Spear Street Proposal, 2000.1090E,
DRAFT ENVIRONMENTAL IMPACT REPORT, November 26, 2002 Agenda,
Item 5.

This is a proposal to build a four-part tower complex on Folsom Street, between Spear Street and MAIN Street. The final development would stand between thirty and forty stories high, and will contain about 820 dwelling units in this downtown area about two blocks from the Bay. This structure consisting of two twin towers, as proposed, will stand between 300 feet and 400 feet high. It will be the tallest building in this area, and will contain about 960 underground parking spaces.

This proposal lacks an intelligent sense of SCALE and would concentrate too many dwelling units in one place. There are available new dwelling units nearby, and the project is not necessary. But why did they not think of a building standing 10 or twelve stories high?

The lot is presently used as a large surface parking lot for about 270 vehicles, and is Zoned "UP", for Public. This is not a Residential area. It is an industrial and office district. And downtown office workers usually prefer to live in the neighborhoods which exist for that purpose, and not in high rise downtown apartment buildings.

Letter / Comments to City Planning Commission
and to Board of Supervisors, SAN FRANCISCO. DEIR
November 26, 2002
Regarding 300 Spear Street Proposal

This development is located on the South Side of Market Street standing directly opposite about forty high rise office towers on the North Side of Market Street. There are numerous under-utilized high rise office Buildings nearby, and also buildings with housing and so there is no need for this new development. The City is proposing to build a whole series of new Structures in the downtown area South of Market Street, without there being much demand for this, along many VACANT lots on Folsom Street, which were previously used as surface parking lots. These lots have been a convenience to the Public, and to downtown working People.

The Real Estate Speculators, and their Radical Supporters, are making another Bid to Ruin the City. Too much money is available / ately for unnecessary Building Projects. These projects, if completed, may be under-utilized for many years, and attract temporary groups which will be disturbing to the Business Community, and to the Community at Large.

Someone is trying to build a City for us that does not work. They are trying to ruin our City.

TO SUMMARIZE:

There is no demand for this Project. We are WASTING money again. People do not like to live in high rise downtown apartment buildings. The present use of the site as a large flat public parking lot is good, and should be preserved.

The draft EIR overlooks many practical and security issues, and the normal preferences of People, which may be a long term Problem for the City. The Project is not necessary, out of scale, and should be rejected.

Sept 16, 2002
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SEP 18 2002

PLANNING DEPT

Dear Mr. Paul Walzer,

I am greatly concerned with any more construction on Pincon Hill, an additional 820 residential units would be adding insult to injury. The traffic congestion, and erosion of quality of life are my main concern. As a owner & resident at Baycrest tower-Harrison at Beale I am against any further construction.

Ted Soderberg
201 Harrison #1019
S.F. Cal. 94105
-- 5775

TED SODERBERG



November 19, 2002

Heffer

Shelley Bradford Bell, President
San Francisco Planning Department
1660 Mission Street, 5th Floor
San Francisco, CA 94108

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DEC 04 2002

PLANNING DEPT

RE: 300 Spear Street

Dear President Bradford Bell:

City CarShare is a non-profit project aimed at reducing the negative impacts of car ownership in San Francisco. Since opening just one year ago, over 2,000 San Franciscans have joined as members, demonstrating strong interest in alternatives to the private automobile. We are especially interested in working directly with developers and city planners, to influence land use policies away from subsidizing and encouraging driving.

A single City CarShare car typically serves between 25 and 30 people. When located in a residential housing development we have found that both residents of the development and residents in the surrounding community use our vehicles – thus serving as an ideal residential and neighborhood amenity to those who need a second vehicle or do not own one at all.

Union Property Capital, Inc.'s 300 Spear Street project is a good example of the kind of dense, infill, downtown housing that San Francisco needs and that City CarShare can help. This transit-oriented development serves residents and their surrounding neighborhood by implementing good urban design close to lots of transit. We especially applaud the developer's work to provide car-sharing in this location that now houses a parking lot.

City CarShare has successfully located car-sharing in several other developments, including the Gaia Building in downtown Berkeley and Oceanview Apartments at Alemany & 19th Ave. In addition, we have plans to partner with several other housing developers to place car-share cars in their buildings, including Tishman Speyer Properties, Citizens Housing, Chinatown Community Development, and the John Stewart Company [partial list].

Please call me at (415) 995-8588 ext. 304 with any questions.

Sincerely,

Elizabeth Sullivan
Executive Director

CC: Michael J. Antonini, Vice-President, Rev. Edgar E. Boyd; Lisa Feldstein, Kevin Hughes, Sue Lee, William L. Lee
Planning Director Gerald Green, Zoning Administrator Lawrence Badiner
Marty Dalton, Union Property Capital

October 28, 2002

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PLANNING DEPT



GOLDEN GATE BRIDGE
HIGHWAY & TRANSPORTATION DISTRICT

Mr. Paul Maltzer
Environmental Review Officer
San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, CA 94103

Dear Mr. Maltzer:

Re: 300 Spear Street Project and 201 Folsom Street Project Draft Environmental Impact Reports (Planning Department File No. 2000.1090E and No. 2000.1073E)

Golden Gate Bridge, Highway and Transportation District (District) staff appreciates the opportunity to review and comment on the above-reference Draft Environmental Impact Reports (DEIRs). District has the following comments regarding the potential impact of the projects on Golden Gate Transit (GGT) bus services between San Francisco and North Bay counties of Marin and Sonoma.

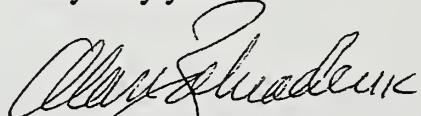
1. The 300 Spear Street DEIR acknowledges the relocation of bus stops along the entire Folsom Street frontage (pg. 129), between Main and Spear Streets, during the project's construction. The District appreciates the acknowledgement and the contractor's initiative in coordinating the possible relocation of the bus stops with the District and San Francisco Department of Parking and Traffic. The suggested relocation of these bus stops would require substantial scrutiny and analysis since this critical facility has significant operational and financial impacts on regional transit services between San Francisco and North Bay counties. GGT buses use the stops as layover stops for basic service Routes 10, 20, 50, 60, 70, and 80 that provide regional transit services for more than four million patrons per year.
2. District has concerns about the nature of the suggested relocation of bus stops along the Folsom Street frontage of the 300 Spear Street project between Main and Spear streets. Given the critical role of GGT transit service at those stops, District recommends mitigation for the relocation of these stops to be included as part of the project's Final EIR if the relocation would be on a permanent basis. District is also interested in the opportunity to provide regional transit services to the new residents who will live in the development.
3. The 201 Folsom Street DEIR does not mention the GGT bus stop at Folsom Street nearside Main Street at the northern corner of the project. Construction may require adjustment or relocation of the bus stop that may require the same level of coordination as the frontage stops on Folsom Street addressed in the 300 Spear Street DEIR mentioned above.

Mr. Paul Maltzer
October 28, 2002

Page 2

Thank you for the opportunity to comment on the DEIRs. If there are questions, please contact Maurice Palumbo, Principal Planner, at (415) 257-4431, or Franklin Wong, Associate Planner, at (415) 257-4534.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Alan R. Zahradnik".

Alan R. Zahradnik
Planning Director

ARZ:gj

c: Maurice P. Palumbo
Franklin P. Wong

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EXHIBIT 2: TRANSCRIPT OF DRAFT EIR PUBLIC HEARING

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SAN FRANCISCO PLANNING COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
STATE OF CALIFORNIA

CITY PLANNING COMMISSION MEETING

TUESDAY, NOVEMBER 26, 2002

PROJECT 2000.1090E - 300 SPEAR STREET DRAFT EIR

and

PROJECT 2000.1073e - 201 FOLSOM STREET DRAFT EIR

APPEARANCES:

PRESIDING: COMMISSION VICE-PRESIDENT MICHAEL J.
ANTONINI; COMMISSIONERS WILLIAM L.
LEE, SUE LEE, KEVIN HUGHES,
DIRECTOR GREEN AND LARRY BADINER

--ooo--

P R O C E E D I N G S

TUESDAY, NOVEMBER 12, 2002

MR. ANTONINI: I'd like to call the meeting to order again.

I'd like you to bear with me. This is my first time chairing a thing and there probably will be some problems but we'll try to work through it as much as we can.

I had a request from Mr. Badiner to bring forth a change in the calendar.

MR. BADINER: Commissioners, we've had a request that we open the public hearing on both the Folsom Street and the Spear Street items at once.

They are right next to each other. I think some of the comments will be repetitive, otherwise.

So, I would recommend if it pleases you that we call both items at once and allow combined public comment and the standard is five minutes per persons on each item but it is up to

1 the Commission President.

2 If there are a significant number of
3 people, we can either shorten it as appropriate
4 but I would recommend that we go with five
5 minutes.

6 MR. ANTONINI: I would agree with
7 that. I don't know do we need a motion to
8 approve that?

9 MR. BADINER: No. I think we just
10 call both items if the Commission Secretary will
11 do that.

12 MR. ANTONINI: Okay.

13 That would be fine with me, Mr. Ionis,
14 if you would like to call the next two items as
15 a combined item.

16 THE CLERK: Okay.

17 I'd like to bring to your attention
18 that we are now on our regularly scheduled
19 calendar.

20 Item 5 and Item 6 are being called
21 together. Public comment will be limited to
22 those two items, once they are both presented.

23 Item 5 is Case No. 2000.1090E for 300

1 Spear Street, a public hearing on a Draft
2 Environmental Impact Report and Item 6, Case No.
3 2000.1073E for 2001 Folsom Street, a Draft
4 Environmental Review Public Hearing.

5 MR. ANTONINI: Thank you.

6 I'd like to acknowledge Mr. Badiner
7 first for a staff report on these items.

8 MR. BADINER: Well, I'm going to
9 ask whether the Environmental Planners have
10 anything they wish to add.

11 This is a public comment. We are here,
12 essentially, to listen and to take public
13 comments and, ultimately, those will be collated
14 and responded to but, with that, I'm going to
15 turn it over to Mr. Helber.

16 MR. HELBER: Thank you.

17 Good afternoon, Commissioners. I'm Ben
18 Helber on the staff of the Environmental
19 Analysis Section of the Planning Department.

20 The items before you are case No.
21 2000.9 -- I'm sorry, 2000.1090E, 300 Spear
22 Street and 2000.1073E, 201 Folsom Street.

23 These are environmental documents

1 prepared to satisfy the requirements of the
2 California Environmental Quality Act or CEQA.

3 Today's action are public hearings on
4 the adequacy and accuracy of the information in
5 the Draft EIRs for the projects.

6 There will be no decision today to
7 approve or disapprove either project.

8 We are here today to receive comments
9 from the public and yourselves regarding the
10 draft EIRs as a part of the environmental
11 process as required by state environment laws.

12 The major components of the 201 Folsom
13 Street project are the rezoning of the project
14 site and adjacent properties to the south and
15 east and the construction of
16 a mixed-use development containing up to eight
17 hundred and twenty dwelling units, thirty
18 thousand gross square feet of retail space and
19 about eight hundred eighty enclosed parking
20 spaces of which two hundred seventy spaces would
21 be replacement parking for the U.S. Government.

22 The major components of the 300 Spear
23 Street Draft EIR are the rezoning of the project

1 site and adjacent properties to the south and
2 west and the construction of a mixed-use
3 development containing up to eight hundred and
4 twenty dwelling units, sixty thousand gross
5 square feet of retail space, about fifty
6 thousand gross of square feet of office space
7 and about nine hundred sixty underground parking
8 spaces.

9 The draft documents were advertised and
10 released for public review and comment beginning
11 September 14th, 2002.

12 Testimonial comments on the
13 environmental document will be received today
14 and the written comments for this environmental
15 document, actually, both of these environmental
16 documents has been extended.

17 The period during which staff will
18 accept written comments on either environmental
19 document has been extended from the previously
20 noticed date of October 29th to next Monday,
21 December 2nd.

22 A Court Reporter is transcribing this
23 hearing so that we may have an accurate record

1 of the testimony.

2 I ask that all speakers speak clearly,
3 slowly and loudly so the Reporter can produce an
4 accurate transcript of today's hearings.

5 The public and City Planning Commission
6 should understand that the staff will not be
7 responding today to any of the comments that we
8 receive.

9 Following the comment period, the staff
10 will prepare and publish a document titled
11 "Draft Summary of Comments and Responses" that
12 will contain a summary of all relevant comments
13 on both Draft EIRs, actually, I'm sorry the
14 draft summary comments response document will be
15 produced for each document that will contain a
16 summary of all relevant comments on the Draft
17 EIRs and responses to those comments.

18 These Draft EIRs, together with their
19 prospective Summary of Comments and Response
20 documents will be considered by the City
21 Planning Commission in an advertised public
22 meeting and certified as a final EIR, if deemed
23 adequate.

1 If someone wishes to receive the
2 Comments and Response Documents or to get on the
3 distribution list, they also need to provide
4 their address.

5 Only when the final EIRs are certified
6 will the Department request your consideration
7 regarding project approval actions.

8 This concludes my presentation on these
9 matters and, unless the Commission members have
10 any questions about the nature of these
11 hearings, I respectfully suggest the public
12 hearing on the Draft EIRs be opened.

13 MR. ANTONINI: Thank you and I would
14 ask if any of the Commissioners have any
15 questions in regards to the presentation?

16 COMMISSIONERS: (No response).

17 MR. ANTONINI: Seeing none, I have a
18 question.

19 Is the project sponsor to make any
20 presentation at this time?

21 MR. GREEN: Well, if you would like
22 to start with them, again, it's your call.

23 MR. ANTONINI: I think it might be

1 appropriate to have the project sponsor make his
2 or her presentation first and then, after that,
3 we will take public comment.

4 I think it might be more relevant if
5 we've heard the presentation first.

6 MR. GREEN: We've actually got I
7 think one spokesperson for both or you can have
8 both come forward and in the order I guess of
9 the calendar.

10 How much time do you want to give them
11 each?

12 MR. ANTONINI: What is customary?
13 Five minutes?

14 That sounds about right to me and I
15 think what we should do is have the spokesperson
16 for the two items come up in order since we are
17 considering them together.

18 MR. GREEN: So, what you are really
19 doing is just allowing the project sponsor to go
20 first.

21 Normally, we just allow for comment
22 period, and that's what again, this is about,
23 not necessarily to present the project, but just

1 to present comments. So, if you want them to go
2 first, then,

3 MR. ANTONINI: If it pleases the
4 project sponsor, if that's fine with you, if
5 you'd rather hear the public comment, I'm sure
6 you will have a chance to retort afterwards or
7 make comments after it's --

8 MR. TOSTA: Right. The nature --
9 I'm Tim Tosta, representing Union Property
10 Capital, one of the sponsors of 300 Spear
11 Street.

12 The history of these hearings in San
13 Francisco before the Commission has been one of
14 the project sponsor like you sitting to hear
15 what the comments on the environmental document
16 are.

17 The project sponsor retains the
18 environmental consultant and works with the
19 Department to produce the draft document which
20 you have before you today and is equally
21 interested in the concerns of the community as
22 to the adequacy of that document because that
23 document must be found, ultimately, by you to be

1 sufficient in order for the project to move
2 forward.

3 So, this is really not a day where the
4 project sponsors actually get up and present the
5 projects, per se, but, rather, wait with bated
6 breath like you or maybe even more than you to
7 hear what the nature of the comments are on the
8 environmental document.

9 I know each project sponsor is here and
10 I know that the developer of 300 Speer has a
11 couple of documents to submit into the record at
12 the appropriate time, and he put in a card Terry
13 Sturnburg is his name and I know the other
14 project sponsor also will make a short comment
15 but as to a full presentation of the projects
16 it's not traditionally been what the Commission
17 has done.

18 So, we actually did not prepare to do
19 that today and I, unfortunately, if we didn't
20 meet your expectations, I apologize, but we are
21 kind of keeping with, unfortunately, for me a
22 more than twenty-year tradition how we have done
23 these.

1 So, hopefully, the documents speak for
2 themselves. Thank you.

3 MR. ANTONINI: Very good.

4 Well, thank you, and I don't want to
5 change a long-term tradition.

6 We will go with the next speaker here
7 and then we will go on to public comment as soon
8 as he's finished.

9 MR. JUNIUS: Vice President Antonini,
10 members of the Commission, my name is Andrew
11 Junius. I'm with Reuben & Alter and we
12 represent the other project sponsor, Tishman
13 Speyer Properties for 201 Folsom.

14 I won't take any further time of yours.
15 I think Mr. Tosta hit it right on the head.
16 We're really here just to listen today.

17 That's all CEQA is asking of us and, if
18 we really go beyond that, I would be a little
19 bit concerned about the noticed item and
20 calendaring issues, et cetera.

21 So, again, I think Mr. Tosta was
22 correct. We are really just here to listen and
23 take the comments and we will be back to you in

1 the future with further actions.

2 Thank you.

3 MR. ANTONINI: Thank you very much.

4 So, we are ready to begin with public
5 comment and our first speaker is Robert Brandon
6 and Mr. Brandon has submitted cards for both
7 Items 5 and 6.

8 So, I'm going to hold comment to two
9 minutes and you can speak first.

10 MR. BRANDON: Sir, if you are
11 combining two items? Combining two items? You
12 have ... Three minutes would be more
13 appropriate.

14 MR. ANTONINI: Okay, all right.

15 What we will do is this. If you want
16 to address both at the same time, you can have
17 four minutes or if you want to make a comment on
18 Item 5 now for two minutes and then come back
19 later and do Item 6 for two minutes.

20 THE CLERK: Excuse me.

21 My understanding is we are combining
22 two items together and, thereby, they will be
23 speaking on both items at the same time.

1 So, I don't know if you -- usually, for
2 environmental documents, I understand it is
3 usually just five minutes allotted for each
4 speaker.

5 So, if you want to reduce that, you
6 might think each speaker would be allotted ten
7 minutes on a normal basis for both items.

8 MR. BADINER: Sorry, for the
9 confusion.

10 I think what I would recommend is that
11 five minutes -- you can either talk on one or
12 talk on both and please identify which item you
13 are talking about.

14 If your comments don't adhere to both,
15 if you're here specifically concerned about one
16 item or the other, please state that -- is what
17 I would recommend -- but I would recommend we
18 allow five minutes and everyone should have five
19 minutes.

20 MR. BRANDON: On this procedure, if
21 I may, just talking about the procedure, we're
22 evaluating the successfulness of the EIRs today,
23 there are two of them combined together.

1 As far as I'm concerned, both projects
2 are wrong and it really was, I think a mistake
3 to take them separately, I mean to take them
4 together, it really would have been much better
5 to take them separately because both projects
6 would be roundly condemned and the committee
7 should be very clear which project should be
8 condemned and, in fact, perhaps both projects
9 should be condemned.

10 THE CLERK: All right. Thank you,
11 sir. We'll take that into consideration.

12 MR. ANTONINI: I think we are going
13 to grant you five minutes to speak and also at
14 the end of the discussion, are they allowed to
15 come back and speak another time?

16 Okay. We'll give you five minutes to
17 speak on both items, sir. So, you can begin
18 now.

19 MR. BRANDON: Well, thank you.

20 Members of the Commission, my name is
21 Roger Brandon, and we are talking about two
22 proposals here today.

23 ; One at 300 Spear Street and another at

1 201 Folsom Street and both of them, as it is
2 turns out, are located on Folsom Street.

3 This is a proposal to build a
4 thirty-story high rise, a thirty to forty-story
5 high rise apartment building.

6 There is almost no other thing like
7 this in the City and this is on the south side
8 of Market in the midst of a business and an
9 office district.

10 It's not residential district. It is
11 an office district and office workers,
12 traditionally, don't like living in downtown
13 office districts.

14 They don't like the difficulty -- this
15 is a -- this type of large building, would be
16 the largest building down on this side and it
17 would be interfering with other nice housing
18 units that have been set up there.

19 It -- one of the sites on Spear Street
20 is only -- it is two blocks from the Bay. The
21 other is three or four blocks from the Bay.

22 It is sitting also -- first of all, it
23 would disturb the housing that's there and it's

1 sitting right across from the north that large
2 Market Street financial development which has
3 some about forty -- forty-story buildings,
4 thirty or forty-story buildings up there which I
5 think would have a potential for disturbing
6 dwelling units in this particular area.

7 These buildings, these projects are
8 being located on building sites that are very
9 large, very large flat surface parking lots in
10 the downtown area.

11 They happen to be somewhat more
12 economical parking than you might find in most
13 places.

14 We think this is a very poor planning
15 idea and the City should not be doing it.

16 I have a map with me here that shows
17 what the projects would look like, both of them
18 are thirty or forty-story towers, two twin
19 towers rising three or four hundred feet and
20 this is just not any type of ideal housing.

21 Okay. It seems to me that the real
22 estate speculators and the radical supporters
23 are making another bid to ruin the City. Too

1 much money is available lately for unnecessary
2 building projects.

3 These projects, if completed, may be
4 under-utilized for many years as so many have
5 been, attracting a temporary group which will be
6 disturbing to other business and/or housing
7 developments in the downtown area.

8 It seems to me that someone is trying
9 to build a City for us that does not work. They
10 are trying to ruin our City.

11 The City is proposing to build a whole
12 series of new structures without there being
13 much demand for this along many vacant lots on
14 Folsom Street which were previously used as
15 surface parking lots.

16 It seems to me also that the and, by
17 the way, both of these projects look the same
18 way, they're Twin Towers, they're twin tower
19 high-rise apartment buildings.

20 These builders are presenting us with a
21 test of our political will to see how long it
22 will take for us to stop them.

23 This proposal is wrong, both proposals

1 are wrong, and it seems to me that we need
2 another building moratorium lasting several
3 years which would work this time and stop
4 unnecessary building projects.

5 Okay. To summarize, and this is with
6 regard to both projects, there is no demand for
7 this project. We are wasting money.

8 Again, people do not like to live in
9 high-rise downtown apartment buildings.

10 The present use of the site as a large
11 flat parking lot is good and this use should be
12 preserved.

13 So, this project is not necessary and,
14 in my judgment, should be stopped.

15 MR. ANTONINI: Thank you.

16 Before we proceed with the next
17 speaker, I would like to make two announcements.

18 The first is that written comments can
19 be taken in addition to your verbal comments up
20 until December 5th on this project.

21 Second, December 2nd, okay, and the
22 other comment is that the scope of today's
23 discussion is to speak upon the draft

1 environmental impact report. That is, whether
2 or not this report addresses the environmental
3 concerns of these projects as opposed to a later
4 hearing which we will deal with approval or
5 disapproval of them, per se.

6 Now, I realize that this is sometimes a
7 fine line and, certainly, comments are welcome
8 but if you could try to address the
9 environmental issues that are raised in these
10 reports and whether they adequately speak to
11 these issues, that would be our interest here.

12 So, the next speaker would be Sue
13 Hestor.

14 MS. HESTOR: Good afternoon,
15 Commissioners.

16 This is a very interesting day. You
17 have a lot of housing issues on your calendar.
18 Unfortunately, they are coming to you in a very
19 disjointed manner.

20 I have read a lot of EIRs and I see
21 problems on this one that I have seen in others
22 but they are exacerbated by the number of
23 housing projects that you have coming before you

1 today.

2 This EIR has an analysis of land use
3 and zoning and planning consistency around in
4 the fifty to eighty page section of the -- I
5 have the 300 EIR, the 300 Spear EIR here and
6 what's lacking here is a housing context.

7 Well, one of the things that we are
8 lacking is a housing context, in part, because
9 we are lacking a compliant housing element which
10 would be very valuable to have that discussion
11 here at the Planning Commission but housing is
12 not -- all housing is not created equal.

13 There is needed housing in terms of the
14 ABAG allocation to the City for affordability,
15 and the last time there was a report for the
16 Planning Commission which was over a year ago,
17 on how we were doing about meeting our housing
18 goals in one of those periodic reports.

19 It showed that we had saturated the
20 market for above market rate housing and we were
21 way behind on worker, you know, basically
22 working class people housing that we were doing
23 okay and making something of a dent in low

1 income housing.

2 What you have is one of the largest
3 areas in the City in the South of Market and you
4 have these two EIRs. You have the mid-market
5 rezoning EIR. You have the Transbay EIR.

6 You have the little SUD for 4th and
7 Fremont and another little exemption at 601
8 King.

9 All of these are coming in under the
10 rubric of affordable housing creation, mostly
11 housing creation.

12 We need quantitative information that
13 tells what the housing context South of Market
14 is. How many units were there? What was the
15 affordability level in 1970, 1980? 1990? 2000?

16 South of Market historically has
17 provided a very large resource of affordable
18 housing and what we have is a transition in the
19 EIRs that you have here as well as the 557 - 4th
20 Street project to be predominantly very high-end
21 housing.

22 We are in a situation where we have
23 limited land available for housing. This is a

1 land use issue.

2 How much land are we developing to well
3 above market rate housing? The entire
4 waterfront, except for a couple of projects that
5 were developed by Delancey Street and a couple
6 of other nonprofits.

7 We have created a market where if you
8 have a million dollars to spend or ten million
9 dollars to spend for a condo, you are very well
10 served but average folks aren't well served and
11 low income people are even more poorly served.

12 You have about two thousand units of
13 market rate, not one affordable unit of
14 live/work which is really housing.

15 We have no picture here. What
16 decisions are we making that benefit the
17 developer, economically? What is the
18 developers' windfall from this versus what is
19 the affordability level? Is this the best use
20 of the City's land?

21 When you add up all of these rezoning
22 areas at the same time, how much are we getting
23 of affordable housing?

1 How much are we getting for million
2 dollars condos? How much are we getting for the
3 people at the City Hall who are looking for
4 housing?

5 That picture is missing in all of these
6 EIRs. You do not have a housing context that
7 you can understand and it needs to come through
8 in the EIR.

9 I don't want the staff to say, "well,
10 that will come through on the staff report on
11 the zoning" because it is something that has to
12 be in the EIR.

13 What are the land use implications on
14 housing south of market? Add them all up to put
15 it in all the EIRs. Thank you.

16 MR. ANTONINI: Thank you.

17 Our next speaker is Orelious Walker.

18 REVEREND WALKER: Honorable
19 Commissioners, I am Orelious Walker, a Pastor of
20 the True Hope Church.

21 Also, I serve in the capacity as
22 President of the Care and Restoration Home,
23 Incorporated, and I come to speak in reference

1 to 300 Spear project, Union Property Capital.

2 Approximately, a year ago I had a dream
3 of building affordable housing in
4 Bayview/Hunter's Point.

5 The church I pastor is located on 950
6 Gillman Avenue and the church has just completed
7 an expansion of a two-million dollar project
8 with child daycare, Head Start, and all of that
9 and I've been losing especially middle income
10 people in my congregation and I counted up
11 about, oh, about (in) ten or fifteen years we've
12 lost anywhere from twenty-five to thirty
13 families and they are immediately -- middle
14 income we are talking about, immediately went on
15 the outside of San Francisco and bought property
16 because they love to remain in San Francisco.

17 I have two daughters I lost out of the
18 City that had to go do the same thing and I've
19 heard of the other project I'm not going to
20 speak on that, but we were the first project
21 that come before this Commission -- the other
22 Commission prior to the new Commissioners
23 sitting on this plan -- coming on this

1 Commissioner Board, and they approved the
2 project in connection with the Union Capital
3 because, with the inclusion of legislation, the
4 developer was able to build off site and get
5 double credit on their credit for building
6 off-site.

7 And one of the things that came to my
8 attention when I agreed to work with this
9 project, with this developer, is that his idea
10 although he was building at 300 and Spear in the
11 future but he wanted to build affordable housing
12 where there was really the need because you talk
13 about nonprofit organizations -- building
14 housing in San Francisco but, in Bayview Hunters
15 Point, that was nil.

16 We did not get any nonprofit
17 organization building housing out there but here
18 come a developer that was willing to team with
19 our group and that was exciting to me.

20 So, that is why that I come to support
21 this project today, because people in my
22 community and my neighborhood, there's other
23 pastors that have extra parking lots.

1 The church I pastor, we have about
2 thirty thousand square feet. They're going to
3 build twenty middle income housing there for
4 middle income people because, in some instances,
5 I found out in this town, the City that we are
6 looking out basically as much as possible now
7 I'm going to say as much as possible for the low
8 income, but the middle income we have almost
9 deserted.

10 So, this project perfectly speaks to
11 this twenty -- this twenty-town housing unit
12 exclusively for middle income people.

13 Secondly, there is no way that the
14 congregation could have thought about doing
15 anything about housing, but with teaming up with
16 the developer, the developer did not want any
17 City money, any state or federal money, but
18 they're going to bring the funds and they're
19 going to develop that themselves.

20 So, I think that this is a tremendous
21 project. I have talked to several people about
22 it. I got a call from West Virginia last night
23 wanting to know how we're doing it here.

1 Other people think this is a tremendous
2 project, and you heard this afternoon so many
3 people, homeless people having hope when you
4 have a project like this.

5 So, I think I would encourage this
6 Commission to vote for this project, support
7 this type of project, and you will become the
8 Commissioners that San Francisco will love and
9 respect.

10 Thank you very much.

11 MR. ANTONINI: Thank you, Mr.
12 Walker.

13 Our next speaker is Elizabeth ... looks
14 like "Carney" on here. I apologize if that
15 isn't correct.

16 MS. CARNEY: That is correct.

17 That is correct. I'm Elizabeth Carney.
18 Thank you for the opportunity to speak to you
19 for a moment today.

20 I wanted to mention that it seems that
21 the EIR document does not address some of the
22 previous uses of this property, and ask the
23 Commission to consider that the sub-surface

1 parking requirement be amended to take into
2 account the need for bus storage and maintenance
3 for Golden Gate and AC Transit for the Transbay
4 Terminal.

5 This would be a way that diesel bus
6 parking exhaust and noise could be appropriately
7 filtered and traffic-wise because these
8 properties are much closer to the Transbay
9 Terminal than where this functionality is
10 projected in the Transbay EIR. It would
11 function much better.

12 Thank you.

13 MR. ANTONINI: Thank you.

14 The next speaker is Jim Chappell.
15 Someone going to speak on his behalf? Does he
16 have a card? Okay. Hold on just a second, sir.
17 Have you filled out a card to speak?

18 VOICE IN AUDIENCE: No.

19 MR. ANTONINI: Okay. I think we
20 are going to have to have you wait until the
21 end.

22 MR. GREEN: Mr. Vettel, we just
23 wanted to make sure that you wanted to --

1 MR. ANTONINI: There were some
2 procedural problems here. I think we have got
3 it right. Now, you can go ahead at this time.
4 Thank you.

5 MR. VETTEL: Steve Vettel.
6 Jim Chappell, who's the President of
7 SPUR, the San Francisco Planning and Urban
8 Research Association asked me to speak on his
9 behalf. He had to leave.

10 SPUR has reviewed the EIRs for both
11 projects, believes they're adequate in all
12 respects and SPUR supports both projects.

13 As you probably know, one of the
14 focuses that SPUR has really focused on over the
15 last several years is the housing crisis in San
16 Francisco, the need for more housing of all
17 kinds, both affordable and market rate.

18 The statement made by Ms. Hestor that
19 we've saturated the market with market rate
20 housing we believe is incorrect, that there is
21 plenty of capacity left and plenty of need left
22 for housing of all income levels, you've
23 probably read in the newspaper recently that the

1 housing prices in the Bay Area and in San
2 Francisco continue to rise, despite the
3 downslide in the economy.

4 So, we believe that these projects are
5 going to go a long ways toward addressing the
6 housing need and that we can address the housing
7 crisis on all levels, both market rate and
8 affordable, these projects do both.

9 Thank you.

10 MR. GREEN: Let me -- on behalf of
11 the Commission -- remind everybody Mr. Vettel
12 did start out with demonstrating that he read
13 the document and that there is adequacy.

14 The purpose of this hearing is to
15 solicit comments about the adequacy of this
16 document in either addressing the issue or an
17 issue has been left.

18 You know, it is appropriate to say the
19 project is good, the project is bad, but our
20 comments that we are going to have to deal with
21 is whether or not this document adequately
22 analyzes a subject matter or subject matter is
23 left out and it needs to be dealt with.

1 So, again, I know I'm preaching to the
2 choir here and I would like to make sure your
3 comments are focused in that fashion, please.

4 MR. ANTONINI: Thank you, Director
5 Green.

6 Our next speaker would be Judith
7 Patterson.

8 MS. PATTERSON: Good afternoon.

9 I'm Judith Patterson. I live on Folsom
10 Street. I'm on the Transbay CAC, and the South
11 Beach-Rincon Hill CAC.

12 I'm opposed to these two projects not
13 because they are residential, retail mixed use
14 projects, but because of their height and I
15 think the height issues -- the EIR and the
16 report does not address what sixteen hundred
17 units will do to the neighborhood.

18 I think that the current zoning is
19 about two hundred fifty, maybe two hundred feet,
20 and these buildings will be four hundred --
21 three hundred and four hundred.

22 It is quite an addition to that
23 neighborhood and there are traffic issues, light

1 issues, wind issues, sun issues that are not
2 complete in the EIR.

3 So, I think it needs to be a more
4 thorough study and I hope that you will not -- I
5 hope that you will recommend that.

6 That's all. Thank you.

7 MR. ANTONINI: Thank you. Our next
8 speaker is Alexandria Chun.

9 MS. CHUN: Good afternoon.

10 My name is Alexandria Chun and I'm a
11 resident of the Rincon Hill neighborhood. I'm
12 here to talk about the Draft Environmental
13 Impact Report for the projects at 300 Spear and
14 201 Folsom.

15 I'm very happy to see that these
16 reports were done and appreciate the efforts of
17 everyone who made it happen.

18 I want to encourage everyone here to
19 examine the impact on these projects with
20 greater scrutiny by bringing to your attention
21 some of the issues not adequately addressed in
22 the reports, in particular, the decline in air
23 quality.

1 The EIRs indicate that if the projects
2 were to be completed in 2002, the level of
3 reactive organic gasses and nitrogen oxides
4 would exceed the Bay Area Air Quality Management
5 District's limits of eighty pounds a day.

6 It then attempts to conclude that this
7 will not be an issue, if the projects were
8 completed in 2002, 2003 and 2004.

9 The problem with this conclusion is
10 that there is no data to support it. The data
11 cited in the EIRs showed no trend in the
12 reduction of pollutants between 1995 and 2000.

13 The EIR also fails to discuss the
14 health risks poor air quality it will cause.

15 It seems air quality issues have been
16 trite to many of us and is often ignored but the
17 fact is studies have shown over and over that
18 poor air quality will increase the risk of
19 respiratory disease and cancer.

20 If the plan is to create more housing
21 and bring more people into the community, it
22 needs to be done responsibly and that includes
23 developing a community that will not create and

1 cause the members to become ill.

2 By the way, one segment of the
3 population that is the most susceptible to poor
4 air quality are children, and the EIR has
5 mentioned only one day care facility in the
6 area. There is actually at least two others.
7 There's one on 220 Spear and the one on Mission
8 Street between Main and Beale in the PG&E
9 building.

10 Another issue that's missing from the
11 EIR is Fire Department's capacity to handle four
12 additional high-rises at the proposed height and
13 density in San Francisco.

14 Fires and high-rises require a very
15 large number of fire rescue workers because of
16 the need to move heavy rescue equipment up many
17 flights of stairs.

18 It's not clear if we have enough fire
19 fighters and rescue workers to handle an
20 emergency on one or more of these towers.

21 Fires typically follow major
22 earthquakes. What will happen if we suffer
23 another major earthquake or terrorist attack?

1 Have these types of emergencies been addressed?

2 Finally, I would like to emphasize the
3 need to plan responsibly by looking at the
4 impact of these projects within the context of
5 the planned and proposed developments in the
6 area.

7 Clearly, the impact of traffic, air
8 quality and wind among other issues would be far
9 greater when all the projects are combined than
10 if they were analyzed independently, we have a
11 chance to build a great community in this area
12 and I urge everyone here to take the opportunity
13 to do so by examining the impact of these
14 projects with greater care and diligence to
15 ensure they will not jeopardize the health and
16 safety of the community members.

17 Thank you.

18 MR. ANTONINI: Thank you.

19 Our next speaker is Bobby Carter.

20 MS. CARTER: Hi. My name is Bobby
21 Carter.

22 I have a few comments on the Draft
23 Environmental Impact. I did read through this

1 quite thoroughly and I was rather amazed to find
2 issues that were glazed over and ill-addressed.

3 I think it would be irresponsible to
4 act upon an impact study that was done not
5 considering issues that were reported in the
6 study to be not applicable.

7 Some of these were traffic issues. I
8 know that, depending on the hour of day, it's
9 virtually impossible for me at this stage to
10 exit my residence.

11 I don't think that issues such as the
12 parking and ballpark location and how that has
13 affected residents in the area has been
14 adequately addressed and how a project of
15 sixteen hundred units, residential units, would
16 impact this area.

17 I'm very concerned about the topography
18 and how projects of this size much greater in
19 magnitude, the height restrictions were placed
20 there for a purpose and we look at violating
21 this residential mixed use community by
22 extending these height restrictions not just
23 minimal increases, but totally out of proportion

1 to anything in the City.

2 Obviously, someone here has not
3 addressed these issues. I feel the study is
4 grossly incomplete.

5 I think that the traffic and parking
6 needs to be addressed. I'm also concerned about
7 wind and light issues in this area.

8 Anyone who frequents the financial
9 district in the City knows that it is a virtual
10 wind tunnel. It is dark. It is not conducive
11 to good residential area which is why the area
12 is not heavily inhabited.

13 I know my husband and I looked at
14 residential properties in that area and chose to
15 live elsewhere with light and adequate
16 ventilation.

17 I just feel that this study is not
18 adequate and I would highly urge you to
19 institute a plan to further investigate how a
20 building of this magnitude would impact our
21 resources and our quality of life here.

22 Thank you.

23 MR. ANTONINI: Thank you.

1 Our next speaker is Michael Ene, I
2 think it is E-n-e?

3 VOICE IN AUDIENCE: He had to leave.

4 MR. ANTONINI: He had to leave.

5 Okay.

6 Our next speaker is Reverend Townsend,
7 it looks like.

8 REVEREND TOWNSEND: Thank you. Mr.
9 President, Commissioner members, my name is
10 Arnold Townsend.

11 Just a couple of brief comments on the
12 draft EIR. I'm not only finding it adequate,
13 I'm awfully glad that it was done, that it was
14 done as timely as it was, and I hope that very
15 soon we can move forward with this project.

16 Yes, these two towers -- these are two
17 very tall towers, but one of the things I have
18 discovered in working in the housing and
19 development field for some years now is that
20 while this proposed development may be a little
21 outside the box, I have been in the box for
22 quite a few years and the answer to our housing
23 problem is not in there and, unless we get

1 outside and become creative, we are certainly,
2 certainly going to only find ourselves in more
3 and more trouble when it comes to trying to
4 house those people who want to live in San
5 Francisco.

6 One thing I do want to bring to your
7 attention connected with the EIR not mentioned,
8 one of the things that this project has done and
9 Reverend Walker talked about it briefly, this
10 project -- we were pioneers on this project with
11 using this project to create instead of having
12 this project have inclusionary and affordable
13 housing, we took the affordable housing offsite
14 and offsite we have created so far twenty two
15 and three-bedroom homes that will sell in San
16 Francisco for under three hundred thousand
17 dollars in the Bayview Hunters Point.

18 Now, that's only twenty homes. We have
19 still got about a hundred more units to go that
20 we will be using not only Bayview Hunters Point,
21 we're looking at a project right now where half,
22 and if the governing body of the agency that
23 controls the land approves us, we will build

1 housing where fifty percent, a minimum of fifty
2 percent of those units will go to people who are
3 on Section 8, who are on Section 8, and they
4 will use their Section 8 to buy down their
5 mortgage and become homeowners.

6 This is done in other cities; never
7 been done in San Francisco because our houses
8 just cost too much money.

9 That won't happen without this project,
10 these two projects and other projects like them,
11 and so that's why when Ms. Hestor was talking
12 about "what about the middle income and worker
13 housing?" This project, first of all, the
14 people who live there most of them will be
15 working somewhere.

16 They may not work the kind of jobs I
17 work but they will be working somewhere.

18 Secondly, it is creating what we call
19 worker housing all over our City and in places
20 where we need new homeowners desperately and
21 this came about as Pastor Walker said because we
22 discovered in our churches we were losing
23 members out of the City and it is not just

1 African-American churches.

2 We have talked with people from the
3 Archdiocese, people from the Jewish Federation,
4 the Minister from the Buddhist Church in Japan
5 Town and they're all suffering the same
6 experience that young people, middle income
7 people, when they try to buy homes, they have to
8 leave the City but this kind of partnership,
9 this -- not only does this partnership give us
10 the kind of for-sale housing we need, it kind of
11 gave folk an idea to create the project that was
12 just before you. Before we got to this item,
13 that project grew out of what we have done.

14 So, not only do you need to approve
15 this and we know that, you know, we have a
16 problem in this town that many of us want
17 progress until it gets to us.

18 We built our house. We -- when our
19 homes were built, they messed up somebody else's
20 air quality. They blocked somebody else's view
21 but now we don't want any more because I have
22 already been taken care of.

23 That's nimby'ism at its height, but

1 this project is the opposite of nimby'ism.

2 It has embraced another community that
3 had a very basic need and we have already -- we
4 are now waiting for the plans to come out of a
5 -- out of the permit process so we can break
6 ground.

7 These developers went ahead with the
8 affordable housing project. They put their fate
9 in this Commission and in god to go -- we
10 encouraged them on that part.

11 They went ahead with this, with
12 approving the affordable before they even had
13 their main project approved and let me tell you
14 developers are watching to see if they get
15 approved.

16 If they get approved, you're going to
17 find folk lining up to do this kind of housing
18 that will provide housing in other parts of the
19 community.

20 We're looking at a project in the
21 Sunset now. We're looking at a project in the
22 Western Addition now that we hope are going to
23 happen.

1 So, this is just so extremely important
2 and I'm glad that they didn't leave -- Mr. Green
3 and his staff did not leave a lot of holes in
4 the EIR report because this is very important.
5 Thank you very much.

6 MR. ANTONI: Thank you, Reverend
7 Townsend.

8 MR. GREEN: Let me again ... keep
9 in mind next time you call Arnold Townsend, he's
10 going to take up all his time (laughter) but let
11 me remind everybody again that the intent of the
12 hearing is to solicit comments about the
13 adequacy of an analysis or whether analysis is
14 even there.

15 So, I'd like everybody to keep that in
16 mind because we are looking to get comments here
17 and, again, for the benefit of our future, keep
18 Arnold Townsend's name on the side.

19 So, when you call him, make sure you
20 limit his time because he is going to use it
21 all.

22 MR. ANTONINI: Our next speaker is
23 Gwentyth Borden.

1 MS. BORDEN: Hi. My name is Gwenyth
2 Borden and I'm with the San Francisco Chamber of
3 Commerce who's a member of the Housing Action
4 Coalition and I'd like to address the Draft EIR
5 and say that we feel that it adequately
6 addresses the issues and, further to that point,
7 in terms of air quality may I fully represent
8 some of the benefits that you will experience as
9 a result of the fact that more people can live
10 in San Francisco.

11 The major fact that degrades air
12 quality in this particular region is because of
13 the in that particular area of the City is
14 because of the Transbay traffic and if you
15 actually build more housing which people can
16 live in there's going to be a reduction in the
17 Transbay traffic that people experience.

18 Additionally, there has to be some air
19 quality improvements due to the fact that you're
20 getting rid of the parking lots and you're
21 replacing that with housing.

22 So, I think that those air quality
23 issues probably would definitely see a long term

1 impact if more people can walk to work and they
2 aren't driving their cars circling around the
3 block in parking lots.

4 Then you actually will have a reduction
5 in air quality and you'll also deal with the
6 other environmental issues concerning our
7 overall need for affordable housing and reducing
8 traffic congestion.

9 Thank you very much.

10 MR. ANTONINI: Thank you.

11 Our next speaker is George Llamas.

12 VOICE IN AUDIENCE: He had to leave.

13 MR. ANTONINI: He had to leave,
14 okay.

15 I don't have any more cards, so I would
16 ask any other speakers who wish to speak on this
17 subject to come forward at this time.

18 MS. MILLER: Mary Ann Miller.

19 I usually evaluate these EIRs for San
20 Francisco Tomorrow but San Francisco Tomorrow
21 has not actually reviewed my comments. So, they
22 are just strictly my own.

23 I think that these two EIRs are

1 examples of very well prepared documents and
2 they -- after all, an EIR is supposed to assist
3 in the decision-making and, as Director Green
4 has repeatedly said, they are not the decision
5 process here but it is to assist you later with
6 the background information that you need when
7 the project comes back and you need a very good
8 assessment of all the impacts, obviously, and
9 you need to have the project laid out nicely for
10 you.

11 I think that the alternatives are well
12 expressed here. Sometimes, you know, you get a
13 project that maxes out at what they are
14 proposing which is the three hundred fifty and
15 four hundred foot towers on both of these sites
16 but you may later find that, you know, through
17 circumstances you want to reduce that.

18 You can do that later when you decide
19 on the project itself but I do want to point out
20 because the next EIR that's coming up is so
21 important, the Transbay Terminal one and, yet, I
22 will speak on that and I think it is very
23 inadequate in many many ways. One of the ways

1 is the wind impact and the shadow impacts.

2 You don't know what a redevelopment
3 area that's being proposed under the Transbay
4 terminal is going to have in the way of impacts
5 but here, in these two documents, you know
6 exactly what the wind impacts are going to be
7 and they are all going to be over eleven miles
8 per hour. They are going to be fourteen and
9 even sixteen on certain spots on Main Street,
10 and you need to know that.

11 The other thing very well done in these
12 two EIRs is the diagrams that show the shadow
13 effects.

14 You have nothing like that for the
15 redevelopment areas that are going to be before
16 you in the next item.

17 So, if you were to look at Page 149,
18 you'd see some elegant diagrams that tell you on
19 September 21st, on March 21st, on June 21st what
20 the shadows are going to be.

21 Since you don't know what they are
22 going to be from the proposed redevelopment
23 project right next door, you might want to keep

1 in mind what's in those, you know, two EIRs. I
2 think I have got the right number referenced at
3 Page 149, very well done.

4 So, I would recommend that, you know,
5 these are just about as good as EIRs will get.

6 The only thing I might wish for is a
7 little bit more visualization of how the project
8 is going to look, particularly, 201 Folsom which
9 has five stories of above-grade parking.

10 I know the architects that I have been
11 to look at their models and so on. They have,
12 you know, lots of mitigation of that five
13 stories above grade, they have three stories
14 below grade, five stories above grade of
15 parking.

16 It doesn't make for a very friendly
17 face on the street, they're doing their best
18 with it but I do think that, you know, we have
19 to look at it over and over again.

20 When you get housing downtown and it's
21 market rate, you are going to have parking
22 because people want that in their units.

23 So, what's the effect of that? So,

1 look at it over and over again and you are going
2 to see these kinds of projects.

3 So, ask yourselves, you know, what does
4 that do to the street scape? What does that do
5 to your perception of a building when you're
6 looking up at five stories of parking above
7 grade?

8 In the 201 Folsom, they do have retail
9 at the lowest level and then they have, you
10 know, so, in other words, it's levels two
11 through six but, still, you know, it is a lot of
12 parking at the eye level. Thank you.

13 MR. ANTONINI: Thank you.

14 Are there any further comments from the
15 public in regards to this issue?

16 THE PUBLIC AUDIENCE: (No response).

17 MR. ANTONINI: Seeing none, I'm
18 going to close public comments at this time.

19 I would like to ask the Commissioners
20 if they want to make any comments in regards to
21 these projects, in regards to the environmental
22 impact report?

23 Commissioner Lee?

1 COMMISSIONER LEE: A question I
2 guess on what would happen to AC Transit, the
3 bus, that lot on which side they are located
4 now, where would they move?

5 And would that bring about an impact on
6 the amount of diesel exhaust in that area?

7 I don't know if you have that
8 information or not. If not,

9 MR. ANTONINI: Mr. Green or the
10 sponsor?

11 MR. GREEN: Thank you, Commissioner.

12 We will take that as a comment from the
13 Commission to be placed on the EIR. We will
14 respond to it as part of the comments and
15 responses document that will be published later
16 on.

17 COMMISSIONER LEE: Right.

18 Also, there was a question about day
19 care centers and the potential impact of air
20 pollution to the children at the day care
21 centers.

22 I think one is a few blocks away, the
23 PG&E Day Care Center. I don't know what impact

1 that will have with the new building and the
2 number of cars going in and out of the two
3 high-rises. Thank you.

4 VOICE IN AUDIENCE: Thank you.

5 MR. ANTONINI: Thank you.

6 As far as in regards to my comments on
7 this, I had a couple of things that I noticed in
8 the reading. One was in regards to the wind
9 factor.

10 Now, I read it that there would be an
11 incremental increase of a mile per hour on the
12 winds and the fifteen miles per hour winds were
13 like the total wind.

14 So, it may have been that I misread the
15 report on that but that may be something that
16 may need some clarification; I know one of the
17 speakers had mentioned.

18 I don't know that the winds would
19 increase by fifteen miles an hour but, rather,
20 would be increased by a lesser amount.

21 The other issue that I looked at on
22 this was in terms of the light and while there
23 were considerable shadows, I think it seems as

1 though the buildings were erected in as narrow
2 as possible configuration and they made a point
3 of pointing out that the shadows on the parks
4 that are proposed are somewhat minimal, and my
5 final point in regards to traffic, I think there
6 may be a tendency for there to be less pollution
7 in regards to traffic.

8 As one speaker pointed out and as much
9 as we would hope people living here would live
10 here in lieu of living in the East Bay and
11 driving across the Bridge or other areas that
12 they would need to drive their automobiles to
13 San Francisco and, by the same token, one would
14 hope that employers would consider moving their
15 businesses into the San Francisco area when more
16 residents are living so close to the place where
17 the sites of the businesses could be.

18 So, that was just my take on the
19 environmental report from what I read.

20 MR. GREEN: Okay.

21 Now, I'm not sure -- are there other
22 comments about the document which we need to
23 respond to in the response to comments?

1 I mean, again, this is a comment that
2 will be memorialize I'm not sure how we will
3 respond to it but, if there are no other
4 comments, then I just simply want to acknowledge
5 that, while we are ending the verbal today, the
6 public hearing setting, I'm reminded by staff
7 that you have until December 2nd, 5:00 o'clock,
8 to provide written comments which ultimately
9 will be included in the response to comment
10 portion of the document which we will bring back
11 to you and, after considering whether or not the
12 response has been adequately addressed, then you
13 will be taking on the issue of certification
14 but, with that, unless you have any other
15 comments?

16 COMMISSIONER LEE: Yeah.

17 I would like to comment are we asking
18 the staff to ask the Fire Department?

19 Since this is going to be a high-rise
20 and the issue of earthquakes is a major issue of
21 San Francisco, what are the fire-fighting
22 capacity of the Fire Department to address these
23 tall buildings?

1 MR. ANTONINI: Okay, thank you.

2 So, I think I'm going to ask for a
3 five-minute recess, if that pleases the staff
4 and then we will consider the next item on the
5 agenda.

6 [ITEMS 5 AND 6 CONCLUDED]

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CERTIFICATE

STATE OF CALIFORNIA)
CITY AND COUNTY OF SAN FRANCISCO) ss.

I, EASTELLER BRUIHL, being a licensed and certified shorthand reporter in and for the State of California, do hereby certify that the matters set forth in the within transcript are true and correct; that the matter was taken down in machine shorthand by me at the time and place set forth and thereafter reduced to typewriting under my direction; and that the foregoing pages 1 through to and including 56 comprise a true, complete, and correct transcription of the proceedings.

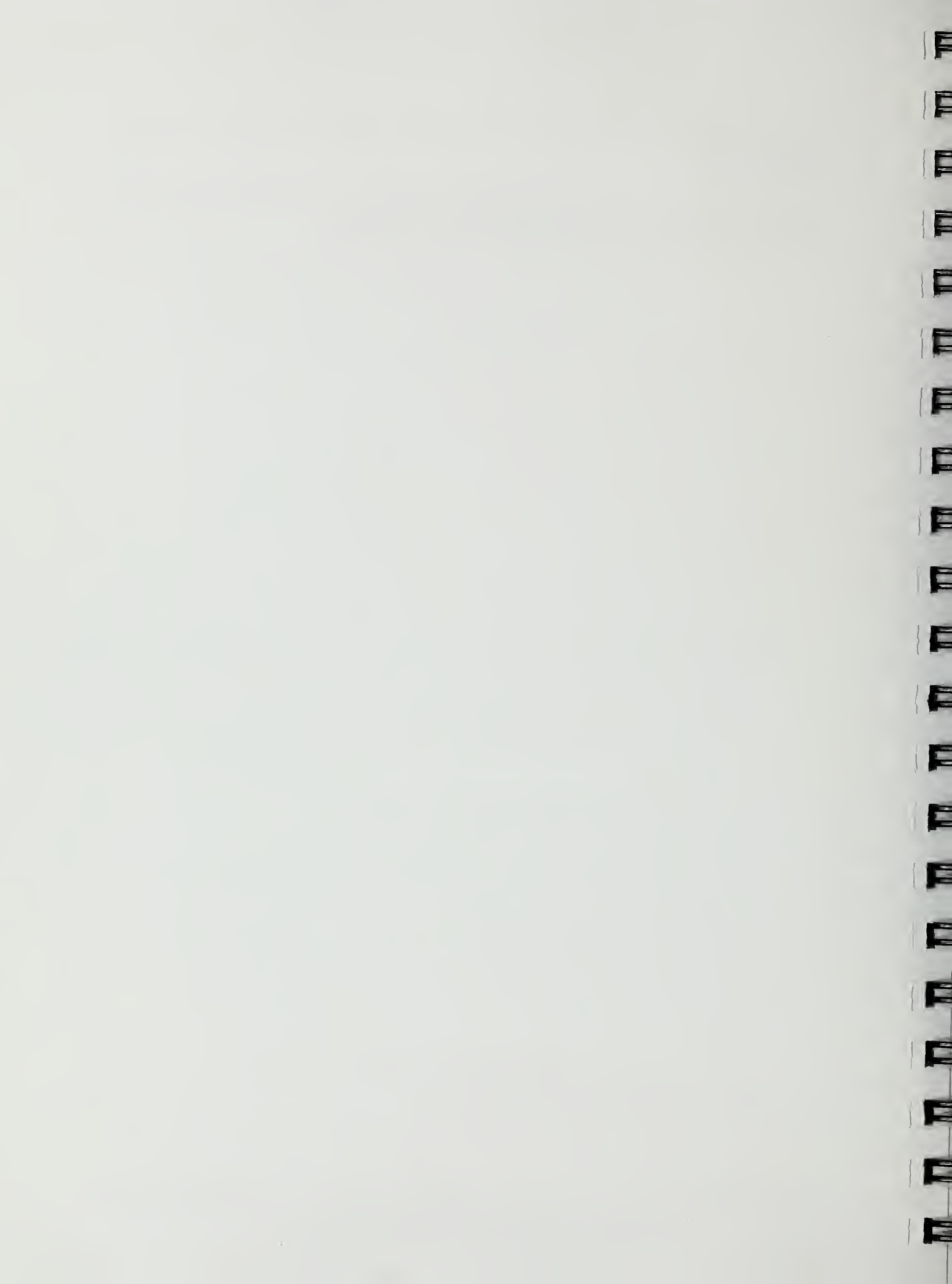
I further certify that I am not a relative or employee or attorney or counsel of any of the parties hereto, nor a relative or employee of such attorney or counsel; nor do I have any interest in the outcome or events of the action.

DATED: November 29th, 2002.

Easteller Bruhl
Easteller Bruhl, CSR No. 3077

APPENDIX A

NOTICE OF PREPARATION AND INITIAL STUDY





PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

July 20, 2001

TO: Responsible Agencies, Trustee Agencies, and Interested Parties

FROM: Paul Maltzer, Environmental Review Officer

RE: Notice of Preparation of a Draft Environmental Impact Report

The City and County of San Francisco Planning Department is the Lead Agency and will prepare an Environmental Impact Report for the following project:

2000.1090E: 300 Spear Street Project -The proposed project is a mixed-use development of 1,224,000 gross square feet (gsf), consisting of 860 residential units (1,114,000 gsf), about 60,000 gsf of retail and 50,000 gsf of office space with approximately 1,000 underground parking spaces. The site is located on Assessor's Block 3745, Lot 1, which is on the northern half of the block situated between Folsom, Harrison, Spear and Main Streets. Two residential towers, 25 and 29 stories (350-feet and 400-feet tall respectively) would rise above an eight-story, 80-foot tall building base that would cover the entire site. The project site would also need to be rezoned from P (Public) with height limits of 105 and 200 feet to RC-4 (Residential/Commercial High-Density) with a 400 foot height limit. In addition, a Planning Code text amendment for the creation of a new Residential-Commercial sub-district under the Rincon Hill Special Use District Overlay and an amendment to the Rincon Hill Plan, a part of the San Francisco General Plan, would be needed. These amendments would be in conjunction with the proposed project at 201 Folsom Street that would also require rezoning and would also include Lot 8 in Assessor's Block 3745, the remaining lot in the existing P district that is privately owned.

The Notice of Preparation of a Draft Environmental Impact Report (EIR) and Notice that an EIR is Determined to be Required for the above-referenced project are being sent to you because you have expressed an interest in the proposed project, or because you have been identified by the Planning Department as potentially having an interest in the project. Notice of publication of these documents will be printed in a newspaper of general circulation on the day following the date of these notices. As stated in these Notices, the Planning Department has determined that pursuant to the California Environmental Quality Act (CEQA) an EIR must be prepared prior to any final decision regarding the project.

We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project.

Written comments on the scope of the EIR will be accepted until the close of business on August 22, 2001. Written comments should be sent to: Paul Maltzer, Environmental Review Officer, San Francisco Planning Department, 1660 Mission Street, Ste. 500, San Francisco, CA 94103. Please include the name of a contact person in your agency. Thank you.


Paul Maltzer
Environmental Review Officer

July 20, 2001
Date



PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378

PLANNING COMMISSION
FAX: 558-6409

ADMINISTRATION
FAX: 558-6426

CURRENT PLANNING/ZONING
FAX: 558-6409

LONG RANGE PLANNING
FAX: 558-6426

NOTICE THAT AN ENVIRONMENTAL IMPACT REPORT (EIR) IS DETERMINED TO BE REQUIRED

Date of this Notice: July 21, 2001

Lead Agency: Planning Department, City and County of San Francisco
1660 Mission Street - 5th Floor, San Francisco, CA 94103-2414

Agency Contact Person: Benjamin Helber, AICP

Telephone: (415) 558-5968

Project Title: 2000.1090E - 300 Spear Street Project

Project Sponsor: Union Property Capital, Inc.

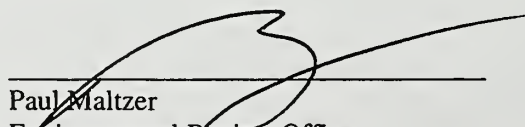
Project Contact Person: Martin P. Dalton, (415) 989-8846

Project Address: 300 Spear Street
City and County: San Francisco

Assessor's Block(s) and Lot(s): 3745/1

Project Description: The proposed project is a mixed-use development of 1,224,000 gross square feet (gsf), consisting of 860 residential units (1,114,000 gsf), about 60,000 gsf of retail and 50,000 gsf of office space with approximately 1,000 underground parking spaces. The site is located on Assessor's Block 3745, Lot 1, which is on the northern half of the block situated between Folsom, Harrison, Spear and Main Streets. Two residential towers, 25 and 29 stories (350-feet and 400-feet tall respectively) would rise above an eight-story, 80-foot tall building base that would cover the entire site. The project site would also need to be rezoned from P (Public) with height limits of 105 and 200 feet to RC-4 (Residential/Commercial High-Density) with a 400 foot height limit. In addition, a Planning Code text amendment for the creation of a new Residential-Commercial sub-district under the Rincon Hill Special Use District Overlay and an amendment to the Rincon Hill Plan, a part of the San Francisco General Plan, would be needed. These amendments would be in conjunction with the proposed project at 201 Folsom Street that would also require rezoning and would also include Lot 8 in Assessor's Block 3745, the remaining lot in the existing P district that is privately owned.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Section 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Environmental Evaluation (Initial Study) for the project, which is attached.


Paul Maltzer
Environmental Review Officer
Planning Department

INITIAL STUDY
2000.1090E
Mixed Use Development at 300 Spear Street.

PROJECT DESCRIPTION

The proposed project is a mixed-use development of 1,224,000 gross square feet (gsf), consisting of 860 residential units (1,114,000 gsf), about 60,000 gsf of retail and 50,000 gsf of office space with approximately 1,000 underground parking spaces. The site is located on Assessor's Block 3745, Lot 1, which is on the northern half of the block situated between Folsom, Harrison, Spear and Main Streets. Two residential towers, 25 and 29 stories (350-feet and 400-feet tall respectively) would rise above an eight-story, 80-foot tall building base that would cover the entire site. The project site would need to be rezoned from P (Public) with height limits of 105 and 200 feet to RC-4 (Residential/Commercial High-Density) with a 400 foot height limit. In addition, a Planning Code text amendment for the creation of a new Residential-Commercial sub-district under the Rincon Hill Special Use District Overlay and an amendment to the Rincon Hill Plan, a part of the San Francisco General Plan, would be needed. These amendments would be in conjunction with the proposed project at 201 Folsom Street that would also require rezoning and would include Lot 8 in Assessor's Block 3745, the remaining lot in the existing P district that is privately owned.

Project Location

The 300 Spear Street project site is currently a 275-foot by 275-foot surface parking lot and occupies a total land area of approximately 1.7 acres or 75,625 sq.ft. The project site is located on the west side of Spear Street, and includes all of the northern half of the block bounded by Spear, Folsom, Main and Harrison Streets. The site is relatively flat and slopes up toward Main and Harrison Streets. The AboveNet building at 160 Harrison Street, and Telecom Center 1 at 100 Harrison Street occupy the southern half of the block (Lots 8 and 9 respectively). City streets

south of and including Market Street are oriented northwest to southeast (e.g., First, Beale and Main Street) and northeast to southwest (e.g., Folsom, Harrison and Bryant Streets). To simplify the discussion of these streets, the convention of calling northwest-to-southeast streets “north-south” and calling northeast-to-southwest streets “east-west” is used in this document.

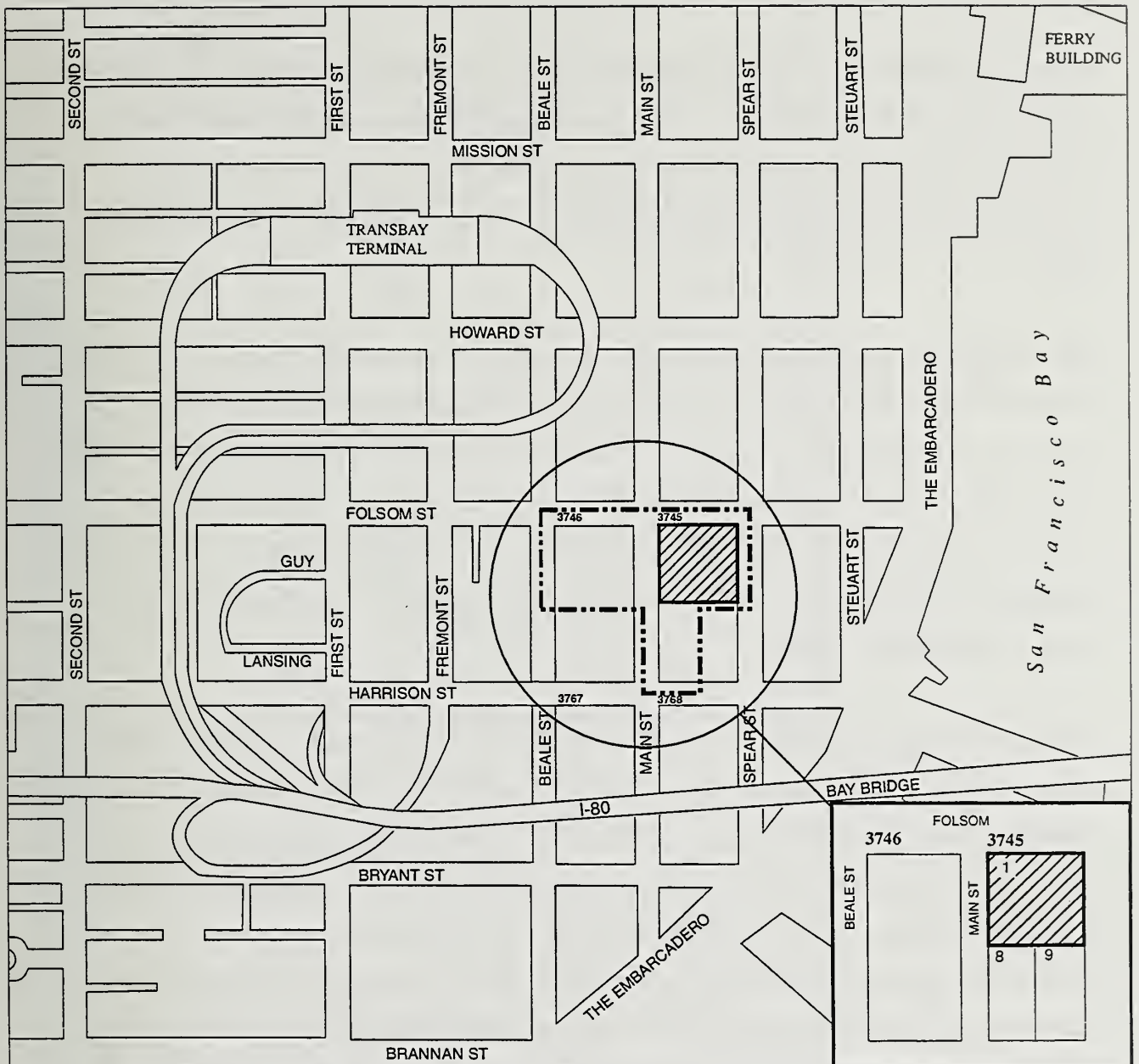
The project site is in the Rincon Hill Special Use District. The site is two blocks west of San Francisco Bay near The Embarcadero. (See Figure 1, Project Location.) The anchorage of the San Francisco-Oakland Bay Bridge is one block south of the project site. In the vicinity of the site are the southeastern portion of Downtown San Francisco and the San Francisco Transbay Terminal to the north, Hills Plaza and The Embarcadero to the east, and the South of Market neighborhood to the west and south. The Rincon Point-South Beach Redevelopment Area is located one block northeast of the site and two blocks southwest of the site. The proposed Transbay Redevelopment Project Area is directly north of Folsom Street.

One block east of the project site at the intersection of Folsom and Spear Streets are Hills Plaza and the Gap Headquarters Building. One block to the west is a surface parking lot (at 201 Folsom Street) and the United States Postal Service Annex building. The 201 Folsom Street parking lot is proposed as a site for residential development with highrise residential towers, similar to the proposed project at 300 Spear Street. Land use in the immediate vicinity is a mix of commercial (office and retail), residential, and parking uses. Office above ground-floor retail is the predominant use north and east of the site, and residential above ground-floor retail/office is the predominant use south and west of the site.

The project site is zoned P (Public Use); it is in the 105-R and 200-R Height and Bulk districts.

Proposed Mixed Use Development

The proposed project would have two 80-foot tall building bases surrounding an oval-shaped landscaped courtyard, bisected by a 50-foot wide pedestrian walkway, running east-west. (See



LEGEND



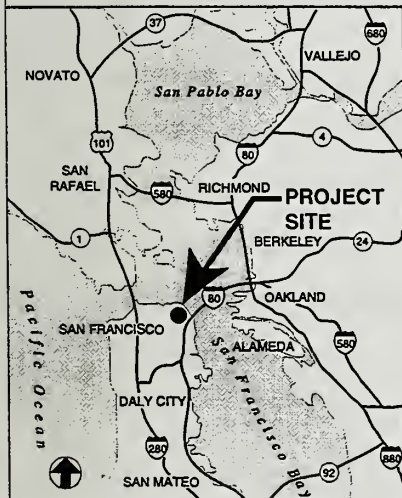
PROJECT SITE



PROPOSED RC-4 DISTRICT
(RESIDENTIAL COMMERCIAL COMBINED-HIGH DENSITY)
AND PROPOSED RESIDENTIAL/COMMERCIAL SUBDISTRICT
OF THE RINCON HILL SPECIAL USE DISTRICT

3746 BLOCK NUMBER

1 LOT NUMBER



300 SPEAR STREET

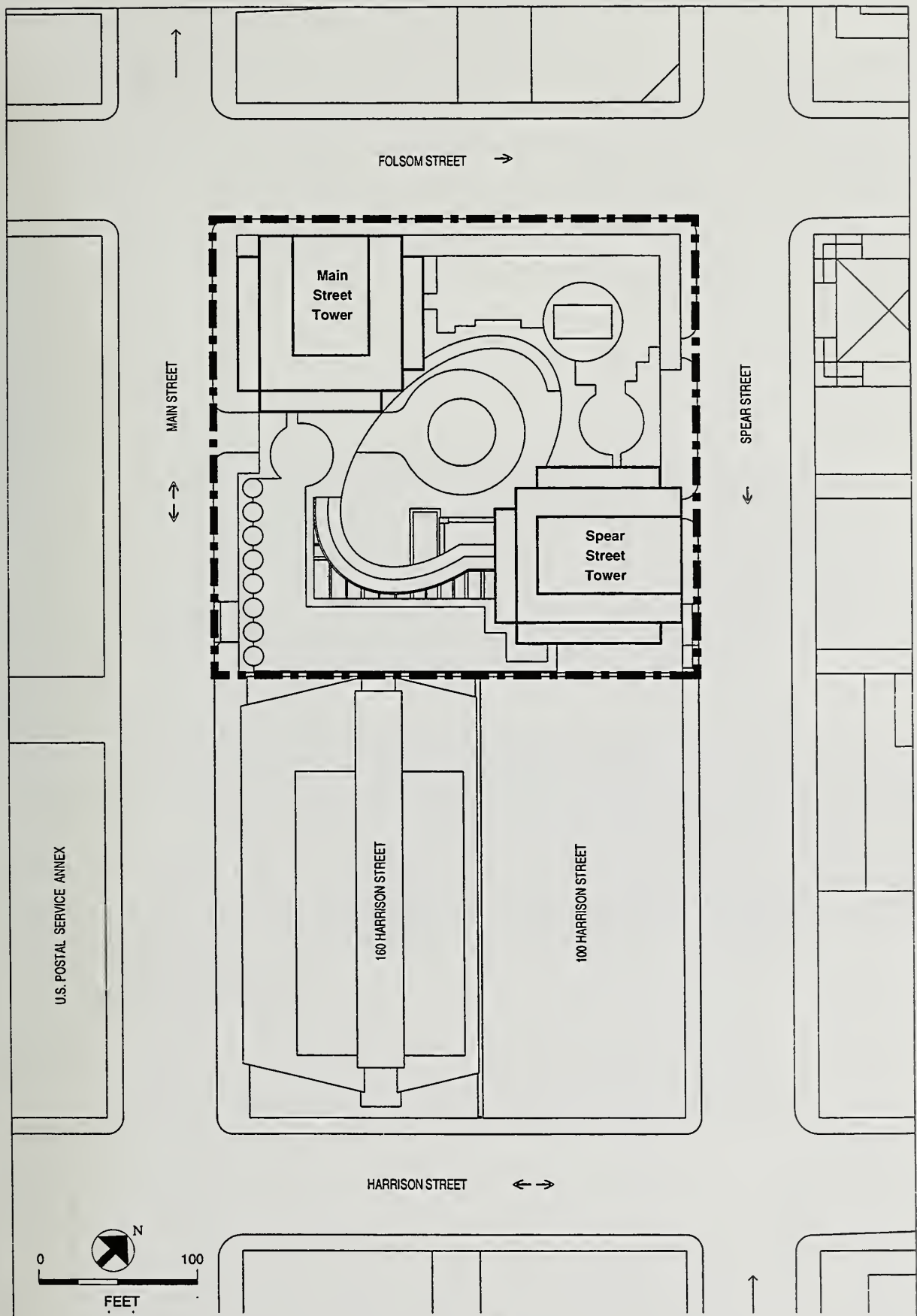
SOURCE: Turnstone Consulting

FIGURE 1: 300 SPEAR STREET PROJECT LOCATION

Figure 2, Project Site.) Above the building bases, two towers would rise to about 350 and 400 feet above street level. (See Figures 3 and 4, Spear Street Elevation and Main Street Elevation.) The building bases would contain residential and parking uses, with some retail and office space. The two towers would include residential uses. There would be six levels of subsurface parking.

Proposed uses on the site include about 60,000 sq.ft. of retail space on the mezzanine, first and second levels, and about 50,000 sq.ft. of office space on the mezzanine and second levels. The retail spaces would support several different retail users and would face Spear, Folsom and Main Streets. The project proposes about 860 residential units (in approximately 1,114,000 gross square feet) in the base above the retail and office uses, and within the two towers. The project would also provide a fitness center, activity room, indoor pool and spa at the second level, primarily for the use of residents.

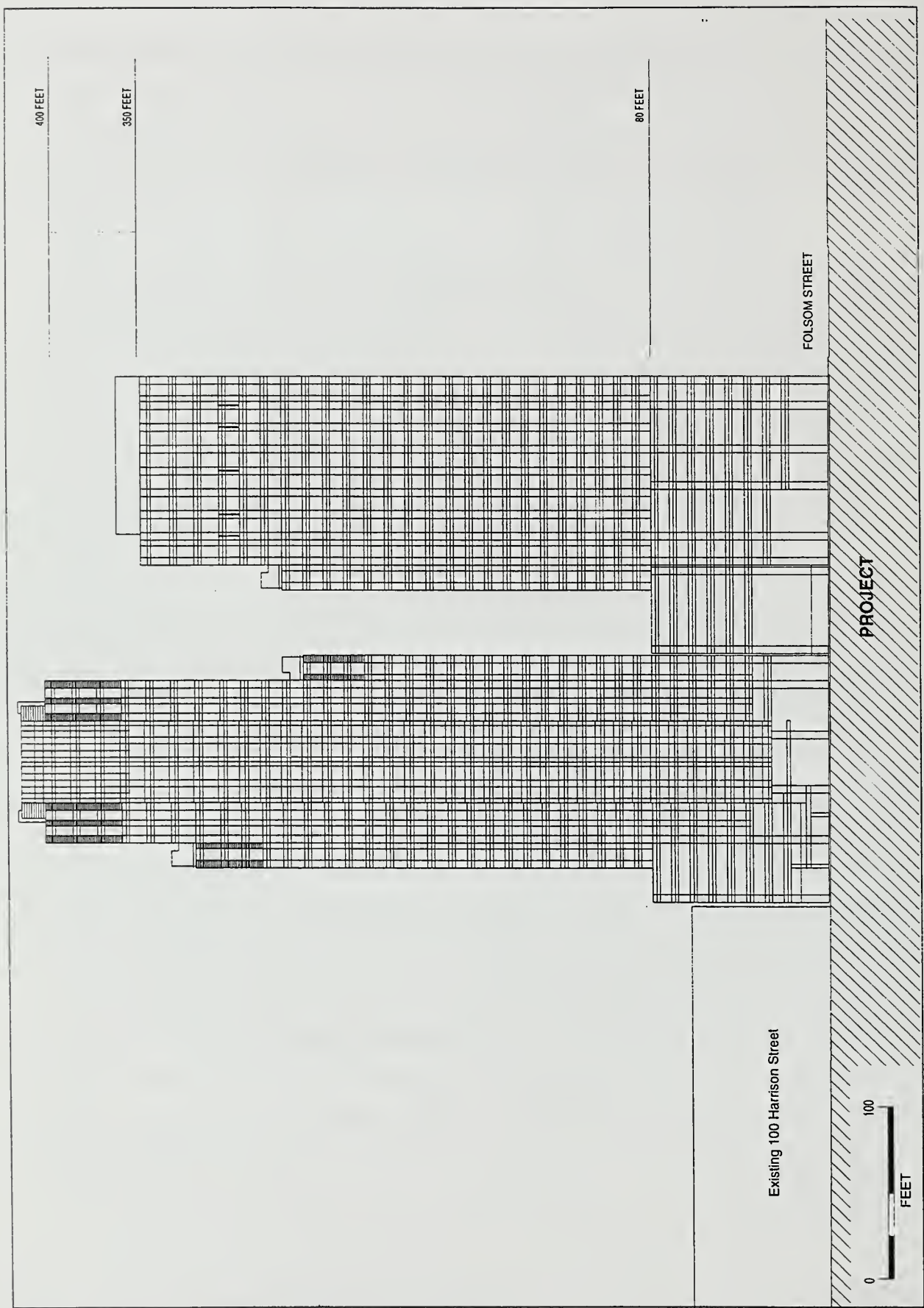
The east-west pedestrian connection between the two proposed building bases would parallel Folsom Street. It would connect to Spear Street with a pedestrian walkway, and to Main Street with a pedestrian walkway/vehicular connection. The building bases would be connected on the fifth, sixth, and seventh floors. The building bases would be built to the property lines on Spear, Main, and Folsom Streets, and a highrise residential tower would be built above each base. The two towers would be set at the diagonal corners of the site to create the greatest separation between towers. The tower fronting on Main Street at Folsom Street (the Main Street tower) would be about 350 feet tall and the tower fronting on Spear Street near the southern property line (the Spear Street tower) would be about 400 feet tall. Each tower would have a maximum length of about 116 feet and a maximum diagonal dimension of about 145 feet. At their closest point the towers would be about 87.5 feet apart. The mass of each tower would be reduced at the uppermost levels. Street trees are proposed along sidewalk frontages of Spear, Folsom and Main Streets as well as along the pedestrian walkway; open space is proposed at ground-level and on the top of the building bases.



300 SPEAR STREET

SOURCE: Heller • Manus

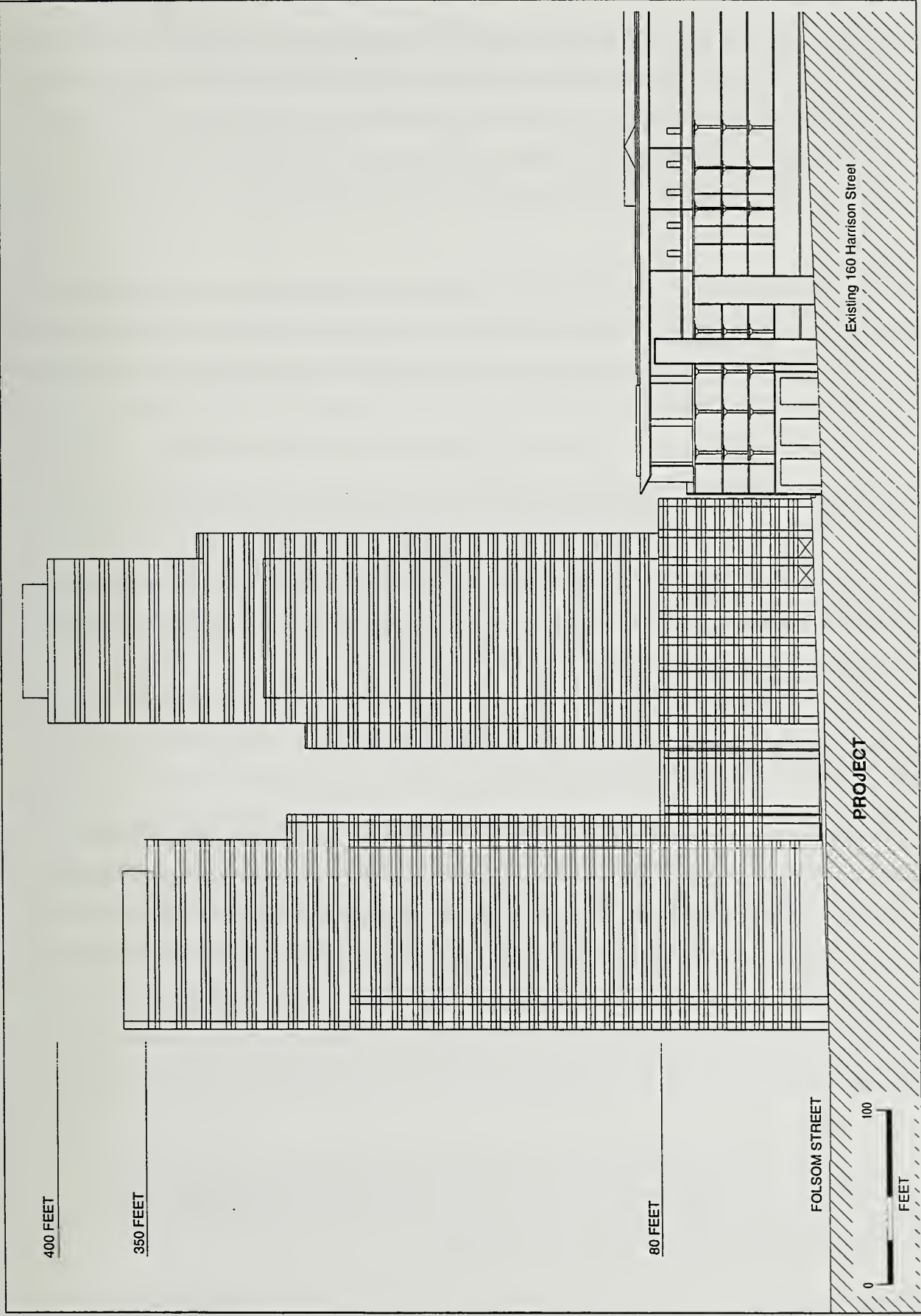
FIGURE 2: 300 SPEAR STREET PROJECT SITE



300 SPEAR STREET

SOURCE: Heller • Manus

FIGURE 3: SPEAR STREET ELEVATION



300 SPEAR STREET
SOURCE: Heller • Manus

FIGURE 4: MAIN STREET ELEVATION

A total of approximately 1,100 parking spaces would be provided in up to six levels of subsurface parking. Access to parking for both the residential and commercial uses would be from a 27-foot wide parking driveway that runs the length of the site, from Spear Street to Main Street, along the south side of the project site. The parking driveway would be accessible from both Spear Street (at the mezzanine level) and Main Street (at the first level).

A total of five off-street freight loading spaces, with maneuvering area, would be provided at the mezzanine level of the building base (along the south side of the project site) for residential and commercial uses. Access to loading dock entrances would be from Spear and Main Streets, off the parking driveway.

Development would occur in a single phase and would be expected to take about 30 months.

The project site is zoned P (Public) and is located in the Residential subdistrict of the Rincon Hill Special Use District. The project would require rezoning and amendments to the *General Plan* Rincon Hill Plan as described below in order to be approved.

Requested Rezoning and General Plan Amendments

The project, jointly with 201 Folsom Street, includes a request to rezone most of the P (Public) Use District, bounded by Beale Street on the west, Folsom Street on the north, Harrison Street on the south, and Spear Street on the east, to RC-4 (Residential-Commercial High Density). The area to be rezoned is shown on Figure 1, Project Location. The requested rezoning would cover the 300 Spear Street project site and 160 Harrison Street site on Block 3745, Lots 1 and 8; Lot 9 in Block 3745 would remain designated RC-4.¹ The requested rezoning would also cover the northern half of Block 3746, which is currently part of Lot 1. The southern half of Block 3746,

¹ The property at 160 Harrison Street is also in the P District. It is occupied under a long-term (20-year) lease by a private utility use, permitted in a P district with a Conditional Use authorization. A Conditional Use authorization was approved in July 2000. Because the site is privately owned, it has been included in the area to be rezoned, although no further development of the site is contemplated.

occupied by the United States Postal Service Annex, would remain in the P district. Three Height and Bulk Districts cover the P district: 200-R on the northern half of both Blocks 3745 and 3746, 105-R on the southern half of Block 3745, and 150-R on the southern half of Block 3746. Blocks 3745 and 3746 are in the Residential subdistrict of the Rincon Hill Special Use District (SUD) and therefore subject to the provisions of Planning Code Section 249.1.

The requested rezoning would change most of the P district to RC-4 under the Rincon Hill SUD overlay. Under Rincon Hill SUD controls in Planning Code Section 249.1, the residential-to-commercial ratio of 6:1 (6 sq.ft. of residential space for every 1 sq.ft. of commercial space) would be retained, and a new Residential/Commercial subdistrict is requested. The rezoning request would establish requirements for parking at a maximum of one parking space per residential unit, one parking space per 500 sq.ft. of retail space, and one parking space per 1,500 sq.ft. of office space. Open space requirements would be similar to those applicable elsewhere in the City, at 1:50 for non-residential uses, and 36 sq.ft. of private open space or 48 sq.ft. of common open space for each residential unit.

A height limit change from 105, 150 and 200 feet to 400 feet has been requested. A minimum of a 50-foot height differential would be required if two towers are proposed on a site. The existing bulk limit would be changed from R (requiring 50 percent of the building frontage to be set back 5 feet above 80 feet) to a new RH bulk district, with graduated bulk limits for lower, mid- and upper-towers. At least 50 percent of the building frontage above the building base on Folsom Street would be required to be set back a minimum of 12.5 feet. The rezoning would permit 100 percent site coverage for the building base.

General Plan amendments have been requested to address the new “Residential/Commercial Subdistrict” provisions and related changes within the *Rincon Hill Plan*. The amendments to the *Rincon Hill Plan* include:

- amending several Objectives to add reference to the proposed new Residential/Commercial Subdistrict and amending Map 3, “Land Use”;

- deleting portions of Objective 20 Policies, and amending Map 5, “Publicly Accessible Open Space Opportunities,” that call for narrowing Main Street;
- identifying separation-of-towers parameters for the new Residential/Commercial Subdistrict
- revising the open space requirements to conform with proposed Planning Code requirements in the proposed new Residential/Commercial Subdistrict of the Rincon Hill SUD;
- revising height limits, including amending Map 4.

The changes requested would eliminate the planned reduction in the width of Main, Beale and Spear Streets as recommended in Objective 13, Objective 22, and Objective 26 of the *Rincon Hill Plan*; would divide Rincon Hill into three subareas—residential, commercial/industrial, and residential/commercial—instead of the two included in Objective 3 Policies of the *Rincon Hill Plan*; and would amend the Land Use Plan (Map 3) to show a new Residential/Commercial Subdistrict covering the 300 Spear Street, 201 Folsom Street, and 160 Harrison Street lots.

A new section is requested to be added to Objective 3 Policies of the *Rincon Hill Plan* (before “Non-Conforming Uses”), describing the Residential/Commercial Subdistrict, and applying the “Residential/Commercial” designation to those properties (including those in the northern half of Blocks 3745 and 3746) that were previously zoned “P” but that have been or are in the process of being sold to private entities for private development. The Rincon Hill Plan Amendment would provide that this area (consisting primarily of two large vacant sites) be developed predominantly with highrise residential structures built over bases that would provide a combination of residential, retail, office and other commercial uses. The request would amend Height Limits (Map 4) to reflect overall height limits of 400 feet and 300 feet for the requested Residential/Commercial Subdistrict.

Other changes requested would make the Rincon Hill Plan consistent with the existing Rincon Hill parking requirements in Objective 5 and Objective 26 of the *Rincon Hill Plan*; would

specify a minimum separation of 82.5 feet between towers at a height of 80 feet to 350 feet, with an 87.5-foot separation at the upper 50 feet of towers, in the Residential/ Commercial Subdistrict; and would allow additional height in the Residential/Commercial Subdistrict. Open space area requirements would be replaced with a new ratio of one net square foot of open space per 50 square feet of gross floor area for all non-residential uses under Objective 20 Policies. Sidewalk widening mandated in the Plan for Assessors Blocks 3744 to 3748 would be eliminated for Blocks 3745 and 3746, and Map 6 would be revised to reflect this change.

APPROVALS

The following approvals would be required from City decision-makers for the project:

- Amend Planning Code Zoning Maps to rezone privately owned parts of existing P (Public) District to RC-4 (Residential-Commercial High Density), increase height limits from 105, 150 and 200 feet to 300 and 400 feet, and change bulk limit from R to RH: (Planning Commission recommendation, Board of Supervisors approval).
- Amend Planning Code Text to add a new Residential/Commercial Subdistrict to the Rincon Hill SUD: (Planning Commission recommendation, Board of Supervisors approval).
- Amend *General Plan* Rincon Hill Plan: (Planning Commission approval, referral to Board of Supervisors for approval).
- Conditional Use Authorization/Planned Unit Development (PUD) for buildings taller than 40 feet in an R district: (Planning Commission approval).

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

A. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

This Initial Study examines the 300 Spear Street project and proposed rezoning to identify potential effects on the environment. On the basis of this study, project-specific effects that have been determined to be potentially significant relate to land use, visual quality and urban design, transportation, air quality, shadows, and wind. These issues will be analyzed in the Environmental Impact Report (EIR). Topics noted "TO BE DETERMINED" mean that discussion in the EIR will enable a determination of whether or not there would be a significant impact.

B. EFFECTS FOUND NOT TO BE POTENTIALLY SIGNIFICANT

The following effects of the 300 Spear Street project have been determined to be either insignificant or to be mitigated through measures included in the project: population and housing, noise, construction air quality, utilities/public services, biology, geology/topography, water, energy/natural resources, hazards, and historic/cultural resources. These issues are discussed below and require no further environmental analysis in the EIR.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<u>Not Applicable</u>	<u>Discussed</u>
1. Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	—	<u>X</u>

2. Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.

— X

The 300 Spear Street project and rezoning would require review by the Planning Commission, the Department of Public Works, and the Board of Supervisors in the context of the *San Francisco General Plan* and other relevant plans. Applicable Area Plans and Elements of the *General Plan* include the Rincon Hill Area Plan, the Urban Design Element, Residence Element, and Commerce and Industry Element. If the project, on balance, were to have substantial conflicts with General Plan objectives and policies, it could not be approved.

Plans and policies will be discussed in the EIR. The EIR will also address the status of the proposed rezoning of the Rincon Hill Plan area and of the proposed Transbay Redevelopment Plan. The 300 Spear Street project and rezoning includes *General Plan* amendments to the Rincon Hill Area Plan, and amendments to the Planning Code and Zoning Maps, and thus the EIR will discuss these issues in some detail.

ENVIRONMENTAL EFFECTS

Except for the categories of land use, visual quality and urban design, transportation, air quality, shadows, and wind as noted above, all items on the Initial Study Checklist incorporated herein have been checked “No” indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect. Several checklist items have also been checked “Discussed” indicating that the Initial Study text includes discussion of that particular issue. For all of the items checked “No” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff and consultant experience on similar projects, and/or standard reference material available within the Planning Department, such as the Department’s Transportation Guidelines for Environmental Review, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1. Land Use - Would the project:

Yes

No

Discussed

a. Disrupt or divide the physical arrangement of an established community?

To be determined

b. Have any substantial impact upon the existing character of the vicinity?

To be determined

As noted in the project description, the site is located between the C-3 Downtown Commercial District north of Folsom Street, and Rincon Hill residential uses on and south of Harrison Street. The proposed Transbay Redevelopment Project Area is across Folsom Street, north of the project site. The Rincon Point-South Beach Redevelopment Plan area is two blocks northeast of the site and one block southwest of the site. A residential development is being proposed by a different project sponsor at 201 Folsom Street, immediately west of the 300 Spear Street project site. Land uses in the vicinity of the project site consist of primarily residential uses to the south and west, and primarily office and commercial uses to the north. The project site is a paved parking lot and is in a transition area between the highrise office above retail use in the Downtown Commercial District and highrise residential above office/retail use in the Rincon Hill Plan area.

On its south side, the project site is adjacent to the AboveNet building at 160 Harrison Street which accommodates telecommunication/internet service exchange (utility) uses, and the Telecom Center 1 building site at 100 Harrison Street, which accommodates telecommunication facilities above retail uses. Across Harrison Street and south of Block 3745 is the five-story Gap Inc. office building (at One Harrison Street); the two-story, 46-unit Harbor Lofts (at 400 Spear Street); the nine-story, 150-unit Portside II residential building (at 403 Main Street); the 13-story, 288-unit Bay Crest residential building (at 201 Harrison Street); and the 12-story, 245-unit Bridge View Towers residential building under construction (at 400 Beale Street). Across Main Street and west of the site (on Block 3746) is the eight-story U.S. Postal Service Annex (at 390 Main Street) and a parking lot (at 201 Folsom Street). One block west on the west side of Beale Street is the 19-story, 226-unit Avalon Towers containing residential over ground-floor retail

uses (at 388 Beale Street). Across Folsom Street and north of the site is the 12-story Gap Inc. Headquarters building with ground-floor retail (at 250 The Embarcadero), an 18-story office above ground-floor retail building (at 201 Spear Street), a seven-story structured parking lot, a paved parking lot, a two-story industrial building (at 160 Folsom Street), a 17-story office above ground-floor retail building (at 221 Main Street), a six-story building with office above ground-floor retail and daycare (at 220 Spear Street), a four-story office building above ground-floor retail (at 210 Spear Street), a five-story office building above ground-floor retail (at 101 Howard Street), the 17-story Charles Schwab building (at 211 Main Street), a two-story industrial building (at 200 Folsom Street), and the Golden Gate Bus Parking lot. Across Spear Street and east of the site is Hills Plaza (at Two Harrison Street)² which accommodates office space in the south tower, 67 residential units in the 18-story north tower, retail space on the ground and second levels (including two restaurants), institutional uses (Marin Day School Child Care), and subsurface parking.

The proposed project would accommodate commercial (office/retail) uses in the building base (eight stories), residential uses in the building base and towers, and six levels of subsurface parking. The project's proposed uses would be generally consistent with similar residential uses in the project vicinity (towards the south, east and west). The project would further extend the Rincon Hill Residential District north of Harrison Street, as envisioned in the Rincon Hill Area Plan. In particular, the 300 Spear Street project uses would be similar to those in Hills Plaza, although with a greater proportion of residential to commercial uses.

Overall, the project would be consistent with existing and planned land uses in the vicinity. Land use, including additional information on residential uses, will be discussed in the EIR.

² Hills Plaza has four postal addresses: Two Harrison Street, 345 Spear Street, 75 Folsom Street, and 350 Steuart Street.

2. **Visual Quality** - Could the project:

Yes No Discussed

a. Have a substantial, demonstrable negative aesthetic effect?

To be determined

b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?

To be determined

c. Generate obtrusive light or glare substantially impacting other properties?

— X X

The project site is a paved parking lot with no existing buildings or trees. The project would have a substantial visual effect because of the change from parking lot to the planned residential towers at 350 feet and 400 feet in height. The EIR will discuss visual quality and urban design and provide several photomontages of the proposed building in the context of surrounding existing and proposed structures.

The proposed project would include outdoor lighting typical of multi-unit residential buildings in the City; no unusual amount of light or glare would be created that would interfere with nighttime views. Therefore the project would not cause significant light and glare and no further discussion is required in the EIR.

3. **Population** - Would the project:

Yes No Discussed

a. Induce substantial growth or concentration of population?

— X X

b. Displace a large number of people (involving either housing or employment)?

— X X

c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?

— X X

Uses in the proposed project would be consistent with the Rincon Hill Plan, which calls for high-density residential uses because the area is close to Downtown San Francisco. A majority of the people living in the Rincon Hill residential area could conceivably be employed in Downtown San Francisco, and could easily walk to work from home.

Based on employment density factors³ of 275 sq. ft. per employee for office use, and 350 sq. ft. per employee for retail use, the proposed retail and office use is estimated to employ approximately 355 people. There would also be about 15 parking, janitorial, maintenance and building management employees. Currently, there are no commercial uses on the site. This increase in employment would be about 0.05% of total employment projected for San Francisco in year 2020 (731,660 employees), and it would be about 0.35% of projected employment growth from 2000-2020 (102,800 jobs).⁴ This potential increase in employment would be small in the context of total employment in San Francisco.

Increases in a city's employment in turn increase demand for local housing. San Francisco is the central city (and most urban place) in an attractive region. The San Francisco Bay Area is known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand is particularly difficult because the amount of land available is limited and land and development costs are relatively high. For these reasons, San Francisco consistently ranks as one of the most expensive housing markets in the United States.

³ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.7, p. C.5, certified September 17, 1998.

⁴ Data from Association of Bay Area Governments, Projections 2000 located at <http://www.abag.ca.gov/abag/overview/pub/p2000/summary.html>

During the period of 1990-2000, the number of new housing units completed citywide ranged from a low of about 500 units (1993) to a high of about 2,100 units (1990, 1991) per year. The citywide annual average over that 11-year period was about 1,200 units.

In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination (RHND) 1999-2006 allocation. The jurisdictional needs of the City for 2006 is 20,372 dwelling units or an average yearly need of 2,716 net new dwelling units. The proposed project would help to satisfy this need.

The proposed project would not create substantial demand for new housing. The project's 860 residential units would more than offset housing demand from the employment in the project.

As stated above, there is substantial demand for new residential units in San Francisco. Based on household density factors⁵ of about 1.35 persons per dwelling unit, the proposed development is estimated to accommodate approximately 1,150 people. Currently, there are no residential units on the site; substantial amounts of new residential units have been built recently or are under construction in the Rincon Hill area, including the recently occupied Avalon Towers on Beale Street, the 245-unit residential building under construction at 400 Beale Street, and the 200 units recently approved at First and Folsom Streets. While potentially noticeable to immediately adjacent neighbors, the increase in numbers of residents on the project site would not substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high density urban areas such as San Francisco. Therefore, the project's population increase would not be a significant effect.

Based on the above analysis, no significant physical environmental effects on population would occur, and these issues require no further analysis in the EIR.

⁵ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Subsequent EIR*, Planning Department File No. 96.771E, SCH No. 97092068, Vol. IV, Appendices, Table C.6, p. C.4, certified September 17, 1998.

4. <u>Transportation/Circulation</u> - Would the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?			<u>To be determined</u>
b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?			<u>To be determined</u>
c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?			<u>To be determined</u>
d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?			<u>To be determined</u>

The proposed residential uses of the project (and to a lesser degree employment on the project site) would place demands on the local transportation system, including increased traffic, transit demand, and parking demand. The EIR will discuss project effects related to transportation and circulation, including intersection operations, transit demand, and impacts on pedestrian circulation, parking, bicycles, and freight loading, as well as construction impacts. The analysis will take into account the Bay Bridge retrofit construction activities (scheduled to be completed by August 2001),⁶ the City's proposed rezoning of the Rincon Hill area as a whole, and the proposed transit-oriented development associated with the Transbay Terminal/Caltrain Downtown Extension project.

⁶ See Caltrans website for schedule: <http://www.dot.ca.gov/dist4/eastspans/projects.html>.

5. <u>Noise</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Increase substantially the ambient noise levels for adjoining areas?	—	<u>X</u>	<u>X</u>
b. Violate Title 24 Noise Insulation Standards, if applicable?	—	<u>X</u>	<u>X</u>
c. Be substantially impacted by existing noise levels?	—	<u>X</u>	<u>X</u>

Outdoor noise in the vicinity of the project area includes numerous potential sources of noise. The most significant existing source of noise throughout most of San Francisco is traffic. This is especially true of the project area because of the proximity of Interstate 80 and the Bay Bridge connection routes, and the Transbay Transit Terminal bus ramps. Non-traffic noise sources in the area would include temporary construction noise due to other projects in the vicinity such as the new residential units at 400 Beale Street and the Bay Bridge seismic retrofit. The nearest sensitive receptors to the project site are residential uses, including Harbor Lofts, Portside II, and Bay Crest residential buildings on the south side of Harrison Street, the residential units in Hills Plaza on the east side of Spear Street, and Embarcadero Lofts and Avalon Towers on the west side of Beale Street, one block to the west. Residences are also located on Guy and Lansing Streets about three blocks west of the project site.

Effects on Ambient Noise Levels

Construction Noise. Construction activities from the project potentially could include excavation and hauling, foundation construction, steel erection, and finishing. Construction activities would be temporary and intermittent and would occur at different times through the phases of project construction. The buildings would probably have a mat foundation; therefore pile driving would not be likely to occur. Construction would extend for about 30 months. Approximately 4 months would be devoted to excavation, approximately 6 months would be devoted to foundation, and approximately 20 months would be devoted to erection and finishing.

Construction of other nearby projects, such as the proposed highrise residential towers at 201 Folsom Street across Main Street, the Bay Bridge retrofit, and construction in the proposed Transbay Redevelopment Project Area, that coincide with construction of the proposed development would temporarily increase the overall noise levels in the immediate vicinity of construction activities, as the noise intensity would be greater with a larger number of noise sources.

Noise impacts from construction activities could be reduced in three ways: reduce the sound level at the source, provide the receiver with shielding, or alter the path of sound transmission. Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 ft. from the source. Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The project demolition and construction operations would comply with the Noise Ordinance requirements. Compliance with the Noise Ordinance is required by law and would reduce any impacts to a less-than-significant level. While pile driving is not expected, if it were to be needed, Mitigation Measure 1 (see pp. 46-47) would reduce temporary noise impacts to less-than-significant levels.

Based on the above analysis, no further analysis of construction noise will be presented in the EIR.

Traffic Noise. Ambient noise levels in the vicinity of the project are typical of noise levels in urban San Francisco. The ambient noise is dominated by vehicular traffic, including trucks, cars, buses, and emergency vehicles. Generally, traffic must double in volume to produce a noticeable increase in noise levels. Traffic volumes would not be expected to double as a result of the

project; therefore, substantial increases in traffic noise levels would not be anticipated in the project area. Traffic noise will not be analyzed further in the EIR.

Building Equipment Noise. The proposed project would include mechanical equipment, such as air conditioning units and chillers, which could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29, Section 2909, which limits noise from building operations. Substantial increases in the ambient noise level due to building equipment noise would not be anticipated. Therefore, the EIR will not discuss building equipment noise further.

Interior Noise and Existing Noise Levels

Residential uses would be included in the proposed development. The noise insulation requirements of Title 24 of the California Code of Regulations apply to residential occupancies. Title 24 requires insulation sufficient to limit interior noise levels to 45 dBA or less at night. The Department of Building Inspection would review the final building plans to insure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission.

The existing background noise levels in the project area are typical of noise levels in urban San Francisco. The existing noise would be occasionally noticeable within the proposed buildings and would dominate the noise environment of the proposed project's open space. Because the proposed development would comply with the Title 24 noise insulation requirements, the existing noise environment would not negatively affect occupant use. Based on this information, the effect of existing noise levels on the proposed development will not require further analysis in the EIR.

6. Air Quality/Climate - Could the project: Yes No Discussed

a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?

To be determined

b. Expose sensitive receptors to substantial pollutant concentrations?

— X —

c. Permeate its vicinity with objectionable odors?

— X X

d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?

To be determined

Effects on Ambient Air Quality

Construction Emissions. During construction, air quality could potentially be affected for short periods. Excavation and movement of heavy equipment could create fugitive dust and emit criteria pollutants as a result of diesel fuel combustion. The criteria pollutants or precursors to criteria pollutants are: nitrogen oxides (NO_x), carbon monoxide (CO), sulphur dioxide (SO₂), hydrocarbons (HC), and particulate matter with a diameter of less than 10 microns (PM₁₀). Fugitive dust is made up of particulate matter including PM₁₀.

Construction emissions would occur in short term and temporary phases, but they could still cause adverse effects on local air quality. The Bay Area Air Quality Management District (BAAQMD), in its CEQA Guidelines, has developed an analytical approach that obviates the need to quantitatively estimate these emissions. Instead, BAAQMD has identified a set of feasible PM₁₀ control measures for construction activities. The project would include these measures to reduce the effects of construction activities to an insignificant level. (See Mitigation Measure on p. 47 below). San Francisco Ordinance 175-91, adopted by the Board of Supervisors

on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, contractors would obtain reclaimed water from the San Francisco Clean Water Program. Because the project would include these mitigation measures, it would not cause significant construction-related air quality effects. Therefore, the EIR will not address these effects further.

Traffic Emissions. Potential air quality impacts from the proposed project could occur due to increased traffic throughout the region. Region-wide emissions will be assessed in the EIR and compared to the BAAQMD's significance thresholds for regional impacts. Also of concern are CO emissions and the possibility of exceeding CO standards at congested intersections and nearby sensitive receptors. The impact of vehicular CO emissions on local ambient air quality will be assessed in the EIR. CO concentrations will be estimated for existing, existing-plus-project, and future-with-project conditions. The results of the analysis will be compared to state and federal ambient air quality standards to evaluate impacts.

Exposure to Toxic Air Contaminant Emissions/Objectionable Odors

The proposed project includes primarily new residential space, and to a lesser extent office space, new retail and new parking areas. These uses could require operation of natural gas fired boilers or chillers that could emit trace quantities of toxic air contaminants, but they are not expected to have the potential to generate toxic air contaminants in substantial amounts or create any objectionable odors. Therefore, the EIR will not discuss this issue further.

Wind Effects

In order to provide a comfortable wind environment for people in San Francisco, the City established specific comfort criteria to be used in the evaluation of proposed buildings in certain areas of the City. The City Planning Code sets forth wind criteria for the proposed project, which is in the Rincon Hill Special Use District. Section 249.1(b)(3) establishes comfort criteria of

11 miles per hour (mph) equivalent wind speed for pedestrian areas and 7 mph for seating areas, not to be exceeded more than 10% of the time year-round, between 7:00 a.m. and 6:00 p.m. Developments that would cause wind speeds to exceed the comfort level are required to be designed to reduce the ambient wind speeds in the Rincon Hill Special Use District, if feasible. Section 249.1(b)(3) of the Planning Code also establishes as a hazard criterion an equivalent wind speed of 26 miles per hour for a single full hour per year. No building or addition would be permitted that would cause wind speeds to exceed the hazard level more than one hour of any year. No exception may be granted to this criterion. The EIR will analyze the project's effects on existing wind conditions. A wind tunnel test will be performed and the effects of the project will be compared to the applicable criteria.

Shadow Effects

City Planning Code Section 295 restricts net new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the City Planning Commission finds the impact to be insignificant. In the project vicinity, South Park near Brannan Street about seven blocks to the southeast, and Justin Hermann Plaza about four blocks to the northwest of the project, would be subject to Section 295. On the basis of review of preliminary shadow information, the project would not shade areas subject to Section 295.⁷ The proposed project could increase shadows on other open spaces and sidewalks in the vicinity; therefore, a shadow study will be completed and the EIR will discuss its results.

7. <u>Utilities/Public Services</u> - Would the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Breach published national, state or local standards relating to solid waste or litter control?	—	<u>X</u>	<u>X</u>

⁷ The preliminary shadow analysis documenting Section 295 information is on file and available for public review at the Planning Department, 1660 Mission Street.

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
b. Extend a sewer trunk line with capacity to serve new development?	—	<u>X</u>	<u>X</u>
c. Substantially increase demand for recreation or other public facilities?	—	<u>X</u>	—
d. Require major expansion of power, water, or communications facilities?	—	<u>X</u>	<u>X</u>

Solid Waste

San Francisco's solid waste is disposed of at the Altamont Landfill. A substantial expansion of the landfill was approved in 1997; therefore, the landfill will be able to accommodate San Francisco's solid waste stream well into the future. The solid waste associated with project construction and operation would not substantially affect the foreseeable life of the Altamont Landfill; therefore, the EIR will not further discuss the issue of solid waste generation.

Sewer and Wastewater Treatment Plant Capacity

The site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. No major new sewer construction would be needed to serve the proposed project. Wastewater treatment for the east side of the City is provided primarily by the Southeast Water Pollution Control Plant. The project would meet any wastewater pre-treatment requirements of the San Francisco Public Utilities Commission, as required by the San Francisco Industrial Waste Ordinance.⁸ The San Francisco Public Utilities Commission's 1998 Bayside Cumulative Impact Analysis identified four major foreseeable development projects in the east half of the City that would have a measurable effect on the volume of discharges from the sewer system. The 300 Spear Street project was not identified as one of those projects. Furthermore, the project would have little effect on the total wastewater volume discharged through the

⁸ City and County of San Francisco, Ordinance No. 19-92, San Francisco Municipal Code (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

combined sewer system, particularly since stormwater runoff contributes greatly to the total flow and the site is already paved (resulting in maximum stormwater flows). For these reasons, the EIR will not evaluate demands on wastewater treatment facilities further.

Public Services

Police and Fire Protection. The project site presently receives police and fire protection services, and the project would create some additional demand for fire and police services in the area. The nearest police station is located at the Hall of Justice at 850 Bryant Street. Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on site, the increase in responsibilities would not likely be substantial in light of the existing demand for police protection services in the South of Market area. The nearest fire station, Engine 35, is located at Pier Twenty Two and a Half on The Embarcadero at Harrison Street. Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity on-site, the increase in responsibilities would not likely be substantial in light of the existing demand for fire protection services in the Rincon Hill-Rincon Point area. Furthermore, the increase in demand would not require the construction of any new police or fire prevention facilities. For these reasons, the EIR will not discuss further police or fire protection services.

Power and Communications Facilities

The new buildings would require typical utility connections and could tap into existing power and communications grids. Any relocation would be completed without interruption of service to adjacent properties. The discussion under 11. Energy/Natural Resources on pp. 35-36 includes additional information about demand for power facilities. No new power or communications facilities would be necessary as a result of project implementation, and the EIR will not discuss this issue further.

Water Supply Facilities

The project would consume about 95,000 gallons of water per day.⁹ There is no current consumption of water on the site. This would incrementally increase the demand for water in San Francisco. The new construction would be designed to incorporate water-conserving measures, such as installing low-flush toilets and urinals, as required by the California State Building Code Section 402.0(c). The San Francisco Water Department will be contacted regarding adequacy of water supplies to meet the needs of the project. Any written reply from the Water Department will be included in the Appendices to the EIR.

Because the project would not result in a substantial increase in water use, it would not result in a significant impact, and therefore, the EIR will not discuss water supply facilities further.

8. <u>Biology</u> - Would the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	<u>—</u>	<u>X</u>	<u>X</u>
b. Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	<u>—</u>	<u>X</u>	<u>X</u>
c. Require removal of substantial numbers of mature, scenic trees?	<u>—</u>	<u>X</u>	<u>X</u>

No known rare, threatened or endangered species are known to exist in the vicinity. The proposed project is in a developed urban area and is completely covered by impervious surfaces.

⁹ City and County of San Francisco Planning Department and San Francisco Redevelopment Agency, *Mission Bay Final Environmental Impact Report*, 86.505EMTZ Volume 3 Appendices, August 12, 1988, p. XIV.D.38, Table XIV.D.35. The Mission Bay Water Demand Calculations, 2000 estimate a demand factor of 75 gallons per day per resident for residential uses, and a demand factor of 95 gallons per day per 1,000 sq. ft. for retail uses.

Development of the site would not affect, or substantially diminish, plant or animal habitats. The project would not interfere with any resident or migratory species. The open space proposed as part of the project would include plants and street trees appropriate for the urban landscape of the project site. Therefore, this topic will not be discussed in the EIR.

9. <u>Geology/Topography</u> - Would the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)?	—	<u>X</u>	<u>X</u>
b. Change substantially the topography or any unique geologic or physical features of the site?	—	<u>X</u>	<u>X</u>

Geological Hazards

The Community Safety Element of the *San Francisco General Plan* contains maps that show areas subject to geologic hazards. The project site is located in an area subject to “non-structural to moderate” damage (Modified Mercalli Intensity VII TO VIII) from seismic groundshaking originated by a characteristic earthquake (Moment Magnitude 7.1) along the San Andreas fault approximately 6 miles southwest of San Francisco, and the Northern Hayward fault approximately 12 miles northeast of San Francisco (Maps 2 and 3 in the Community Safety Element), a Seismic Hazards Study Zone designated by the California Division of Mines and Geology. The project site is also in an area of liquefaction potential (Map 4 in the Community Safety Element). The project site is not in an area subject to landslide, seiche or tsunami run-up, or reservoir inundation hazards (Maps 5, 6, and 7 in the Community Safety Element).¹⁰ The project site is not in an Alquist-Priolo Earthquake Fault Zone.¹¹

¹⁰ City and County of San Francisco, *Community Safety Element, San Francisco General Plan*, April 1997.

¹¹ California Division of Mines and Geology, *Fault Rupture Hazards Zone in California, Alquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zone Maps*, Special Publication 42, revised 1997, Figure 4B.

In its review of the building permit application for a development proposal in an area of liquefaction potential, the Department of Building Inspection would require the project sponsor to prepare geotechnical reports to assess the nature and severity of the hazards at the site and to recommend project design and construction features that would reduce these hazards. One or more geotechnical (foundation) investigations for the project by a California-licensed geotechnical engineer would be included as part of the project. The project sponsor and its contractors would follow the recommendations of the final geotechnical reports regarding any excavation and construction of the project, including the types of foundations necessary to support various project elements. To ensure compliance with all current San Francisco Building Code provisions regarding structural safety, the Department of Building Inspection would review the geotechnical report and building plans for the proposed project and determine the necessary engineering and design features to reduce potential damage to structures caused by groundshaking and liquefaction. In this way, amelioration of potential damage to structures from geologic hazards at the project site would be ensured through the Department of Building Inspection requirement for a geotechnical report and review of the building permit application.

The project site is about 12 feet above mean sea level. The project site is relatively flat and slopes down towards the north, from Main Street to Spear Street.¹² The northern portion of the project site is a filled portion of Yerba Buena Cove.¹³ The filling of Yerba Buena Cove brought the grade of Folsom Street at Spear up to city base.¹⁴ The ground surface in the project area

¹² Treadwell & Rollo, Inc., *Geotechnical Investigation for 300 Spear Street, San Francisco, California*, December 22, 2000, p. 7.

¹³ The 1853 U.S. Coast Survey map indicates that Yerba Buena Cove from Mission Street to Rincon Point ranged in depth from one to three feet at low mean tide. This shallow extended bayward for about 700 feet from First Street before dropping abruptly to five fathoms. Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-14. Treadwell & Rollo, Inc., *Geotechnical Investigation for 300 Spear Street, San Francisco, California*, December 22, 2000, p. 9.

¹⁴ Established in 1850, city base is 6.7 feet above mean low tide or 11.67 feet above mean low water. The United States Coast Survey maps use low water as their 0-foot elevation. Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-14.

slopes gradually up from Folsom and Spear Streets toward Harrison and Main Streets (Folsom Street, gradually sloping upward to the west of Spear Street, is 5 feet above base at Main Street). The site is covered by a paved parking lot.

A preliminary geotechnical investigation for the project site completed in 2000 by Treadwell & Rollo indicates the site is underlain by unengineered fill material (primarily loose silty and clayey sand, stiff sandy silt and clay, and some rubble) placed in the area during the general filling of the San Francisco waterfront during the period from 1850 through the early 1900s.¹⁵ Thickness of the fill reported at the site ranges from 2 feet to 19 feet, depending on the location sampled. Beneath the fill is very loose to very dense native sand and gravel with varying amounts of clay. This layer extends to depths ranging from about 20 feet to about 54.5 feet below the ground surface, and the thickness of this layer increases towards the west. Beneath these sands was encountered up to 11 feet of residual soil (consisting of hard clay and gravelly clay); this layer extends to depths ranging from about 15 feet to about 58 feet below the ground surface. Bedrock of the Franciscan Complex was encountered at the site below the native sand and residual soil. According to the Treadwell and Rollo report, bedrock is shallowest (within three feet from the ground surface) at the east corner of the site and drops down towards the southwest, to depths of 56 to 58 feet below the existing ground surface. Bedrock consists of shale, greywacke, chert, sandstone and serpentinite. Groundwater was encountered in the preliminary geotechnical investigations for 300 Spear project at a depth of approximately 13 feet below the ground surface.¹⁶ In the 1992 field investigation by Morris Knudsen Corporation groundwater was encountered at depths ranging from about 7.5 feet to about 14 feet below the ground surface. Groundwater appears to flow in a northerly direction in the vicinity of the site.¹⁷

¹⁵ Treadwell & Rollo, Inc., *Geotechnical Investigation for 300 Spear Street, San Francisco, California*, December 22, 2000, p. 8.

¹⁶ Treadwell & Rollo, Inc., *Geotechnical Investigation for 300 Spear Street, San Francisco, California*, December 22, 2000, p. 10.

¹⁷ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 5.

The proposed project would require excavation to a depth of about 66 ft. below street grade and would result in the removal of about 185,000 cubic yards of soil. Because of the composition of the subsurface material at the site, it is probable that the building structure proposed for the site would need special foundations. It is anticipated that by judiciously locating the bottom level of parking, mat foundations can be used instead of pile foundations.

Because of the shallow nature of the water table, it is likely that at least some of the excavations for the proposed structure would need dewatering, discussed further in "Water" below. The 300 Spear project includes mitigation measures (see pp. 47-48) to reduce the potential settlement effects of dewatering on nearby streets and properties.

Topography/Unique Geological Features

The proposed project would not alter the topography of the site, or otherwise affect any unique geologic or physical features of the site.

Based on the above discussion, no further analysis of geology and seismicity or topography is required in the EIR.

0. <u>Water</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Substantially degrade water quality, or contaminate a public water supply?	—	<u>X</u>	<u>X</u>
b. Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	—	<u>X</u>	<u>X</u>
c. Cause substantial flooding, erosion or siltation?	—	<u>X</u>	—

Water Quality

The project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed buildings and stormwater runoff from the project site would be collected and treated at the Southeast Water Pollution Control Plant prior to discharge in San Francisco Bay. Treatment would be provided pursuant to the effluent discharge limitations set by the Plant's National Pollutant Discharge Elimination System (NPDES) permit. See pp. 26-27 for a discussion of sewer and treatment plant capacity. See "Flooding, Erosion, and Siltation" below for a discussion of water quality during construction.

Groundwater Resources

The project would include excavation to about 66 feet in depth to accommodate up to six levels of underground parking. Dewatering could be required. Any groundwater encountered during construction would be subject to the San Francisco Industrial Waste Ordinance (Ordinance No. 199-77), which requires that groundwater meet specified standards before being discharged into the sewer system. The Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission would be notified if the project were to require dewatering.

Should dewatering be necessary, the final foundation study for the project would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the foundation study would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Building Inspection would require that a Special Inspector (as defined in Article 3 of the San Francisco Building Code) be retained by the project sponsor to perform this monitoring. Groundwater monitoring wells and/or instruments would be used to monitor potential settlement and subsidence. If, in the judgement of the Special Inspector, unacceptable movement were to

occur during construction, groundwater recharge would be used to halt this settlement. The project would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor. The project would include mitigation measures to reduce the potential water quality effects of dewatering (see pp. 48-49).

Flooding, Erosion and Siltation

The project site is entirely paved; therefore, the project would not substantially affect the area of impervious surface at the site or alter site drainage. Project-related wastewater and storm water would continue to flow to the City's combined sewer system and would be treated to standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant prior to discharge. During construction, requirements to reduce erosion would be implemented pursuant to California Building Code Chapter 33, Excavation and Grading. During operations, the project would comply with all local wastewater discharge requirements.

No use of groundwater currently exists on the site. Therefore, groundwater resources would not be substantially degraded or depleted, and the project would not interfere substantially with groundwater recharge. Soil would be exposed during site preparation, but because the project site is relatively flat, the potential for substantial flooding, erosion, or siltation would be low.

The project would include a mitigation measure to reduce the potential water quality effect of sedimentation (see pp. 48-49).

Based on the above discussion, the EIR will not include further analysis of hydrology and water quality issues.

11. <u>Energy/Natural Resources</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	—	<u>X</u>	<u>X</u>
b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	—	<u>X</u>	—

Energy Use

The project includes new residential units, office space, retail space and new parking areas. Development of these uses would not result in use of large amounts of fuel, water or energy in the context of energy use throughout the City and region. The project would meet current state and local codes concerning energy consumption, including Title 24 of the California Code of Regulations enforced by the Department of Building Inspection. For this reason, the project would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and natural resources.

The proposed project would increase demand for and use of public services, but not in excess of amounts expected and provided for in this area. San Francisco consumers have recently experienced rising energy costs and uncertainties regarding the supply of electricity. The root causes of these conditions are under investigation and are the subject of much debate. Part of the problem is thought to be that the State does not generate sufficient energy to meet its demand and must import energy from outside sources. Another part of the problem may be the lack of cost controls as a result of deregulation. The California Energy Commission (CEC) is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area, and elsewhere in the State. These facilities could supply additional energy to the power supply "grid" within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project would not be built and occupied until about 2004; therefore, additional generating facilities may

have been completed by the time the project is in operation. The project-generated demand for electricity would be negligible in the context of the overall demand with San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the proposed project would not result in a significant physical environmental effect.

Because the project would comply with the energy efficiency regulations of Title 24, it would not be considered to use energy wastefully. Based on this evaluation, no substantial environmental effects related to energy use are expected from the proposed project, and energy consumption will not be discussed further in the EIR.

Natural Resource Use

Other than natural gas and coal fuel used to generate the electricity for the project, the project would not use substantial quantities of other non-renewable natural resources. Therefore, the project would not have a substantial effect on the use, extraction, or depletion of a natural resource, and this topic is not required to be further analyzed in the EIR.

12. <u>Hazards</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	—	<u>X</u>	<u>X</u>
b. Interfere with emergency response plans or emergency evacuation plans?	—	<u>X</u>	<u>X</u>
c. Create a potentially substantial fire hazard?	—	<u>X</u>	<u>X</u>

Public Health Hazards and Hazardous Materials

Hazardous Materials Use. The proposed project would involve residential, retail and office development that would require relatively small quantities of hazardous materials for routine business and household purposes. The development would likely handle common types of hazardous materials, such as paints, cleaners, toners, solvents, and disinfectants. These commercial products are labeled to inform users of potential risks and to instruct them in appropriate handling and disposal procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers that handle hazardous materials, and adequately training workers. For these reasons, hazardous materials use by the project would not pose any substantial public health or safety hazards related to hazardous materials.

Soil and Groundwater. Historical activities at the project site and in its vicinity have resulted in the release of contaminants into soil and groundwater. Phase 1 and Phase 2 Environmental Site Assessments performed on the site by Treadwell & Rollo in October 1999 have been prepared for the property that comprises (and is adjacent to) the site.¹⁸ These list current and past operations, review environmental agency databases and records, report site reconnaissance observations, summarize potential contamination issues that warrant further investigation, and report laboratory test results for limited soil and groundwater sampling at the site. Previous investigations (from 1992) have also identified hazardous materials in the soil and the groundwater at or near the site.¹⁹ The information available in the Phase 1 and Phase 2

¹⁸ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999.

¹⁹ Morrison Knudsen Corp., *Phase II Site Investigation, Final Report Volume I, Directors Deed DD - 38890-01-01, Harrison Street Property, San Francisco, California*, July 10, 1992. Environmental assessment was performed on the project site by Morrison Knudsen Corporation in July 1992, and indicated the following:

- Two underground tanks may be present in the former bus parking area.
- One underground tank, waste collection sump, and numerous containers and drums of hazardous material or wastes were present in the vehicle maintenance room in the previous building (now demolished) at 160 Harrison Street.

Treadwell & Rollo 1999 studies is summarized below. The project site was not referenced on any of the lists of hazardous waste sites maintained by local or regional agencies, the State of California, or the U.S. EPA.²⁰

The southern portion of the site (around the 160 Harrison Street property) is situated on bedrock, formerly part of the steep Rincon Point. The northern portion of the project site was originally part of Yerba Buena Cove of the San Francisco Bay. Groundwater was locally encountered at depths of approximately 7.5 feet to 14 feet below ground surface; it generally seems to flow in a northerly direction in the vicinity of the site. This suggests that former activities conducted at blocks to the south-southwest of the site have the highest potential to adversely impact soil and groundwater beneath the site.²¹

Manufacturing, industrial, commercial activities, and residential uses have been operating in the site area since at least the late 1880's, and these have the potential to impact soil and groundwater quality. A coal gasification plant operated near the site from the 1850's through the 1860's, and discharged coal tar wastes (containing regulated compounds including PAHs). The northern portion of the site was used for coal and lumber storage and warehousing until the 1920's. Subsequently, it was occupied by the Pacific Diamond Bag Company for the production of burlap bags, until the early 1970's. After demolition of the buildings, this portion of the site has been used as a paved parking lot.

-
- An underground tank may be present beneath the sidewalk adjacent to Harrison Street.
 - Asbestos and polychlorinated biphenyls (PCBs) are present in the building at 160 Harrison Street.
 - Samples of soil vapors, soil, and groundwater contained PAHs, VOCs, petroleum hydrocarbons, mineral spirits, and metals.

²⁰ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 6. VISTA Information Solutions, Inc., of San Diego, California provides a listing of the results of a comprehensive search of government databases identifying sites on local, state and U.S. EPA lists with potential sources of hazardous substances. The VISTA report is presented in Appendix B of the Treadwell & Rollo report.

²¹ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 5.

In the early 1900's, much of the project area was filled with debris from the 1906 San Francisco Earthquake and the fire that followed. Fill material from this period often contains elevated levels of various metals, petroleum hydrocarbons, and polynuclear aromatic hydrocarbons. These soil conditions are common throughout the Greater South of Market area. These were also detected in soil samples collected at site.

Soil and groundwater studied at the project site have been impacted by the elevated levels of metals and petroleum hydrocarbons, primarily in the first 5 feet to 8 feet of soil.²² No pesticides, PCBs, cyanide, sulfides or asbestos were detected at or above the reporting limits in the samples analyzed. Semi-volatile organic compounds (SVOCs) and volatile organic compounds (VOCs) were detected at low concentrations in some soil samples.²³ Total petroleum hydrocarbons (TPH) were detected in all soil samples; however, except for the TPH detected in one soil sample the concentrations of TPH detected in soil and groundwater do not appear to "pose a significant environmental concern" or "be high enough that a regulatory agency would require further investigation or remediation."²⁴ However, soil excavated for potential site development may not be suitable as use for clean fill, and may require disposal in an appropriate landfill.

Lead, copper, and chromium were the only metals detected in the soil samples at elevated concentrations. Elevated levels of lead were generally found in the upper 5 feet to 8 feet of fill in borings where earthquake fill was observed.²⁵ Polynuclear aromatic hydrocarbons (PAHs) were

²² Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 16.

²³ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 15.

²⁴ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 15, p. 17.

²⁵ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 15.

not detected at elevated concentrations.²⁶ In the field, no visual evidence of petroleum hydrocarbons was detected in the groundwater. The petroleum hydrocarbon concentrations detected in groundwater do not appear to be such that a regulatory agency would require further investigation or remediation.²⁷ Previous investigations have identified two suspected underground storage tanks (USTs) beneath the parking lot area. The 1999 investigation did not confirm the presence of the suspected USTs, however, and soil or groundwater contamination typically associated with a potential UST was not encountered.²⁸

Project plans call for excavation and removal of roughly 185,000 cubic yards of soil from the project site. If contaminated areas at the project site were to be excavated, contaminated soil or groundwater could be encountered. Without appropriate safeguards, earth-moving activities could potentially expose workers and possibly the public to chemical compounds in soils, soil gases (gases or vapors, mostly air, trapped within soil), or groundwater. Exposure would most likely occur through skin contact or inhalation. Workers directly engaged in on-site activities would face the greatest potential for exposure to contaminants. The public could also be exposed if access to the construction site were insufficiently controlled. Hazardous materials exposure could cause short-term or long-term health effects specific to each chemical present at the site if present in sufficient concentration and duration.

Since the project site was historically part of San Francisco Bay, it is subject to Article 20 of the San Francisco Public Works Code (the Maher Ordinance). The Maher Ordinance requires that applicants for building permits within certain areas (largely the part of San Francisco's eastern shoreline created by landfill) prepare a site history and site investigative report analyzing the

²⁶ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 15.

²⁷ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 14. Analytical results indicate that most of the total lead concentrations do not exceed the current California hazardous criteria of 350 milligrams per kilogram (mg/kg). However, most of the sample analyzed for soluble lead exceeded the California hazardous criteria of 5 milligrams per liter (mg/l).

²⁸ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999, p. 17.

site's soil for hazardous wastes. The analysis is required if more than 50 cubic yards of soil are to be disturbed and the project is either on fill or at a location designated for investigation by the Department of Public Works. Where the analysis reveals the presence of hazardous wastes, the ordinance requires site mitigation pursuant to the standards, regulations, and determinations of local, state and federal regulatory agencies. Site mitigation is to involve the removal of hazardous substances and their disposal at an approved disposal site, or other appropriate actions.

In compliance with the Maher Ordinance, a site history and site investigative report has been prepared for the project site.²⁹ Where hazardous wastes exceed local, state or federal standards, a Site Mitigation Plan would be submitted to appropriate agencies, including the San Francisco Department of Public Health (SFDPH). The Site Mitigation Plan would be prepared prior to obtaining a building permit. Where toxic materials are found for which no standards have been established, a determination would be sought from appropriate agencies as to whether a Site Mitigation Plan would be needed. In accordance with the Maher Ordinance, the construction contractor would handle and dispose of excavated soils properly, employ worker health and safety and dust control procedures, and have a State Registered Professional Geologist or Engineer certify, at the completion of foundation activities, that all elements of the Site Mitigation Plan have been performed in compliance with the Maher Ordinance.

Building Materials. There are no existing buildings on the project site. Therefore no hazardous building materials would be generated by demolition.

Emergency Response Plans

No interference with emergency response plans or emergency evacuation plans would be expected. The project sponsor would develop an evacuation and emergency response plan in

²⁹ Treadwell & Rollo, Inc., *Environmental Site Assessment Caltrans Site, Folsom, Main and Harrison Streets, San Francisco, California*, December 9, 1999.

consultation with the Mayor's Office of Emergency Services to ensure coordination between San Francisco's emergency planning activities and the project sponsor's plan to provide for building occupants in the event of an emergency. The project sponsor's plan would be reviewed by the Office of Emergency Services and implemented before the Department of Public Works issued final building permits. Occupants of the proposed project would contribute to congestion if an emergency evacuation of the 300 Spear Street building were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise buildings.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing buildings are required to meet standards contained in these codes. In addition, the final building plans for any new residential project greater than two units are reviewed by the San Francisco Fire Department (as well as the Department of Building Inspection), in order to ensure conformance with these provisions. The proposed project would conform to these standards, which (depending on building type) may also include development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hillside development, hydrant water pressure, and emergency access) would be mitigated during the permit review process.

Potential health and safety issues related to potentially contaminated building components, contaminated soil and groundwater, and future use of hazardous materials on site would be reduced to less-than significant levels, with implementation of the mitigation measures identified on pp. 49-50 that are included in project development. Therefore, these issues do not require further analysis and will not be discussed in the EIR.

13. <u>Cultural</u> - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
a. Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study?	—	<u>X</u>	<u>X</u>
b. Conflict with established recreational, educational, religious or scientific uses of the area?	—	<u>X</u>	—
c. Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?	—	<u>X</u>	<u>X</u>

Archaeological Resources

An archival cultural resources evaluation by Holman and Associates in 1996 for the proposed Rincon Sports and Entertainment Center inventoried potential subsurface historic or pre-historic resources and documented the history of the Rincon Hill neighborhood.³⁰ The area studied in this report included the 300 Spear Street project site. Potential for the existence of subsurface cultural resources of the prehistoric/protohistoric period (c. 4000 B.C. - A.D. 1775), Spanish/Mexican and Early American Era (1776-1848) and the Gold Rush and Later 19th Century eras (1849-c. 1906) were systematically examined.

Most of the project site existed in a natural state as sand hills before 1848.³¹ The northwest corner of the project site was a part of the Yerba Buena Cove until landfill and grading of the area in the 1850s. By the late 1850's the project area had been greatly changed; the project site

³⁰ Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996.

³¹ Rincon Point was one of the favorite recreational areas for families living in the Yerba Buena settlement before 1848. Refer Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-16.

and the surrounding areas had been graded and paved to give rise to industrial uses and some private residences in the area.³² Industrial facilities at the project site included the Hobbs, Wall & Co. Box Factory (1884 - early 1890s); the J.M. McDonough Coal Yard/Central Yard Co. (1880s-1906), and the Pacific Diamond Bag Company (1920s - 1970s).

South of Market industrial facilities such as these were central to the City's economic prosperity in the second half of the 19th century. The Earthquake and Fire of 1906 consumed much of the South of Market area, up to Main Street, but did not destroy buildings on the project building, including the Sailor's Home that was opened in 1876 on the southern half of the project block. The Haslett Warehouse Company built a warehouse on the project site in 1913, adjacent to the Central Coal Company yard; the warehouse was used by the Pacific Diamond Bag Company from the 1930's until the 1960's. After 1906, the project site and its immediate surroundings began to assume the essential architectural and demographic contours that have characterized the area throughout the remainder of the 20th century. The project site is now characterized by parking uses; buildings adjacent to or near the project site represent a variety of 20th architectural styles, including early 20th century industrial, modern commercial and postmodern styles.

According to the Holman and Associates evaluation, "no prehistoric site or other resources have been previously recorded within or immediately adjacent to the project area,"³³ and there is only a remote possibility that a prehistoric site is located within the project site. A significant prehistoric archaeological (shell midden) deposit was recovered in 1929 about half a mile southeast of the project site, at Third and Harrison Streets. This discovery was made at a site with a similar natural environmental setting as the proposed project site. In 1988, another previously unrecorded prehistoric shell midden site was encountered within about half a mile

³² Treadwell & Rollo, Inc., *Phase I Environmental Site Assessment for 201 Folsom Street, San Francisco, California*, July 3, 2000, p. 4. Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-29 - C-31.

³³ Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-14.

northwest of the proposed project site on Howard Street between Third and Fourth Streets at the Yerba Buena Center area.³⁴

Prior to the Gold Rush era, there is no record of settlement or occupation on the project site (part of the site was historically reclaimed from the former Yerba Buena Cove), and records indicate that the area remained in its natural state as noted above. As a result, historic cultural resources from the Spanish/Mexican period and Early American era (1776-1848) would not likely be encountered at the project site, especially since the areas settled during these periods are not near the project site.³⁵

No subsurface cultural resources from the Gold Rush period have been found at the project site. However, given that the project site has been occupied since 1850, "it is highly probable there are significant subsurface historic archaeological resources dating to the Gold Rush-era throughout much of the project site."³⁶ The northern half of the project site was originally submerged in Yerba Buena Cove. When this area was filled in the late 1850s, artifacts in trash deposits from the early shipping industry could have been buried and survive to the present day. Although no recorded hulks have been identified in this area, it is possible that storeships and other vessels are submerged in this area.

The proposed project would include excavation to a depth of 66 feet below the ground surface to accommodate mat foundations and subsurface parking facilities. Based upon archival evidence, the proposed project may disrupt or adversely affect prehistoric resources or historic archaeological resources from the Gold Rush era. The project includes a mitigation measure (see

³⁴ Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, pp. C-4, C-15.

³⁵ Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-25.

³⁶ Holman and Associates, *An Inventory of Potential Archaeological Resources in the Rincon Sports and Entertainment Center Project Area, San Francisco, California*, February 5, 1996, p. C-25.

pp. 50-52) that is intended to reduce the potential impact to cultural resources to a less-than-significant level. Archaeological resources will not be discussed further in the EIR.

Historic Architectural Resources

The project site and vicinity does not include structures identified as historic architectural resources by the San Francisco Planning Code and other surveys. There are no buildings on site currently; therefore, historic architectural resources will not be discussed further in the EIR.

OTHER - Could the project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
Require approval and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from regional, state, or federal agencies?	<u>X</u>	—	<u>X</u>

A list of approvals and permits necessary for the project is presented in the Project Description, above, on p. 11.

MITIGATION MEASURES	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Discussed</u>
1. Could the project have significant effects if mitigation measures are not included in the project?	<u>X</u>	—	—	<u>X</u>
2. Are all mitigation measures necessary to eliminate significant effects included in the project?	<u>X</u>	—	—	<u>X</u>

Mitigation Measure 1: Noise

It is unlikely that pile driving would be required for this project; however, should it be necessary to install pile foundations, the project sponsor would require construction contractors to predrill holes to the maximum depth feasible on the basis of soil conditions. Contractors would be required to use construction equipment with state of the art noise shielding and muffling devices.

The project sponsor would also require that contractors schedule pile driving activity for times of the day that would be consistent with the Noise Ordinance.

Mitigation Measure 2: Construction Air Quality

The project sponsor would require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsor would require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsors would require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 3: Geology/Topography

- The project sponsor would ensure that the construction contractor conducts a pre-construction survey of existing conditions and monitors any adjacent buildings for damage during construction, if recommended by the geotechnical engineer in the foundation investigations.
- If dewatering were necessary, the final foundation report would address the potential settlement and subsidence impacts of this dewatering. Based on this discussion, the foundation report would determine whether or not a lateral movement and settlement survey would be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey were recommended, the Department of

Building Inspection would require that a Special Inspector (as defined in Article 3 of the San Francisco Building Code) would be retained by the project sponsor to perform this monitoring. Instruments would be used to monitor potential settlement and subsidence. If, in the judgement of the Special Inspector, unacceptable movement were to occur during construction, groundwater recharge would be used to halt this settlement. The project sponsor would delay construction if necessary. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

- If dewatering were necessary, the project sponsor and its contractor would follow the geotechnical engineers' recommendations regarding dewatering to avoid settlement of adjacent streets, utilities, and buildings that could potentially occur as a result of dewatering.
- The project sponsor and its contractor would follow the geotechnical engineers' recommendations regarding installation of settlement markers around the perimeter of shoring to monitor any ground movements outside of the shoring itself. Shoring systems would be modified as necessary in the event that substantial movements are detected.

Mitigation Measure 4: Water Quality

The project sponsor would ensure that groundwater from site dewatering and stormwater runoff meets the discharge limitations of the City's Industrial Waste Ordinance by carrying out the following:

- If dewatering were necessary, the project sponsor would follow the recommendations of the geotechnical engineer or environmental remediation consultant, in consultation with the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission, regarding treatment, if any, of pumped groundwater prior to discharge to the combined sewer system.

- If dewatering were necessary, groundwater pumped from the site would be retained in a holding tank to allow suspended particles to settle, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission to reduce the amount of sediment entering the combined sewer system.
- The project sponsor would require the general contractor to install and maintain sediment traps in local storm water intakes during construction to reduce the amount of sediment entering the combined sewer system, if this were found to be necessary by the Bureau of Environmental Regulation and Management of the San Francisco Public Utilities Commission.

Mitigation Measure 5: Hazards

In addition to local, state, and federal requirements for handling hazardous materials, the project sponsor would enter into a voluntary agreement with the San Francisco Department of Public Health to undertake the following work and any additional requirements imposed by the Department of Public Health under the agreement.

- Prior to initiating any earth-moving activity at the project site, the project sponsor would consult with the San Francisco Health Department to determine whether additional soil sampling would be necessary under Public Works Code Article 20 (the Maher Ordinance). Disposal of excavated soils would comply with existing local, state, and federal regulations. If determined to be necessary, a Site Safety and Health Plan would be prepared. In addition to measures that protect on-site workers, the Plan would include measures to minimize public exposure to contaminated soils. Such measures would include dust control, appropriate site security, restriction of public access, and posting of warning signs, and would apply from the time of surface disruption through the completion of earthwork construction.

- The project sponsor would provide all reports and plans prepared in accordance with Mitigation Measure 5 to the San Francisco Department of Public Health and any other agencies identified by the Department of Public Health. When all hazardous materials have been removed from the project site, and soil analysis and other activities have been completed, as appropriate, the project sponsor would submit to the San Francisco Planning Department and the Department of Public Health (and any other agencies identified by the Department of Public Health) a report stating that all hazardous materials have been removed from the project site, and describing the steps taken to comply with this mitigation measure. Any verifying documentation would be attached to the report. The report would be certified by a Registered Environmental Assessor or similarly qualified individual.

Mitigation Measure 6: Archaeological Resources

Given the location and depth of excavation proposed, and the likelihood that archaeological resources would be encountered on the project site, the sponsor has agreed to retain the services of an archaeologist. The archaeologist would carry out a pre-excavation testing program to better determine the probability of finding cultural and historical remains. The testing program would use a series of mechanical, exploratory borings or trenches and/or other testing methods determined by the archaeologist to be appropriate.

If, after testing, the archaeologist determines that no further investigations or precautions are necessary to safeguard potentially significant archaeological resources, the archaeologist would submit a written report to the Environmental Review Officer (ERO), with a copy to the project sponsor. If the archaeologist determines that further investigations or precautions are necessary, he/she shall consult with the ERO and they shall jointly determine what additional procedures are necessary to minimize potential effects on archaeological resources.

These additional mitigation measures would be implemented by the project sponsor and might include a program of on-site monitoring of all site excavation, during which the archaeologist

would record observations in a permanent log. The monitoring program, whether or not there are finds of significance, would result in a written report to be submitted first and directly to the ERO, with a copy to the project sponsor. During the monitoring program, the project sponsor would designate one individual on site as his/her representative. This representative would have the authority to suspend work at the site to give the archaeologist time to investigate and evaluate archaeological resources should they be encountered.

Should evidence of cultural resources of potential significance be found during the monitoring program, the archaeologist would immediately notify the ERO, and the project sponsor would halt any activities which the archaeologist and the ERO jointly determine could damage such cultural resources. Ground disturbing activities which might damage cultural resources would be suspended for a total maximum of four weeks over the course of construction.

After notifying the ERO, the archaeologist would prepare a written report to be submitted first and directly to the ERO, with a copy to the project sponsor, which would contain an assessment of the potential significance of the find and recommendations for what measures should be implemented to minimize potential effects on archaeological resources. Based on this report, the ERO would recommend specific additional mitigation measures to be implemented by the project sponsor. These additional mitigation measures might include a site security program, additional on-site investigations by the archaeologist, and/or documentation, preservation, and recovery of cultural material.

Finally, the archaeologist would prepare a report documenting the cultural resources that were discovered, an evaluation as to their significance, and a description as to how any archaeological testing, exploration and/or recovery program was conducted.

Copies of all draft reports prepared according to this mitigation measure would be sent first and directly to the ERO for review. Following approval by the ERO, copies of the final report(s) would be sent by the archaeologist directly to the President of the Landmarks Preservation

Advisory Board and the California Historical Resources Information System, Northwest Information Center. Three copies of the final archaeology report(s) shall be submitted to the Major Environmental Analysis Section of the Planning Department, accompanied by copies of the transmittals documenting its distribution to the President of the Landmarks Preservation Advisory Board and the California Historical Resources Information System, Northwest Information Center.

ALTERNATIVES

The EIR will discuss several alternatives to the proposed project that would reduce or eliminate any significant environmental effects. The alternatives will include the following:

1. No Project. The No Project Alternative is required by CEQA to be discussed in the EIR. The project site would remain in use as a parking lot, with no changes in zoning or height limits. Potential uses that could be developed under the existing P district zoning for Assessors Blocks 3745 and 3746 will be briefly discussed.
2. Existing Height and Bulk Alternative. This alternative would include a change in zoning from P to RC-4 as proposed by the project, but would not change the height limits. Shorter towers would be constructed, in conformity with existing height, bulk and tower separation limits. One parking space would be provided for each residential unit, as for the proposed project, resulting in fewer overall parking spaces in the alternative. Retail and office space would be provided in proportion to the amount of residential space, as permitted in the Rincon Hill Special Use District; the alternative would include smaller amounts of commercial space and fewer residential units than the proposed project.
3. Full Buildout Under Proposed Rincon Hill Rezoning Alternative. This alternative would include the maximum amount of commercial retail and office space permitted in the Project Sponsors' proposed new Residential/ Commercial subdistrict of the Rincon Hill SUD on the

201 Folsom Street site, and maximum development of the 300 Spear Street site. The maximum amount of parking permitted under the proposed new zoning controls would be included on both the 201 Folsom Street site and the 300 Spear Street site in this alternative. For 201 Folsom Street this alternative would also include replacement parking for the USPS.

MANDATORY FINDINGS OF SIGNIFICANCE

	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	—	<u>X</u>	—
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	—	<u>X</u>	—
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	<u>X</u>	—	<u>X</u>
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	—	<u>X</u>	—

The project could contribute to cumulative traffic, transit, and air quality impacts in the Bay Area. These will be discussed in the EIR.


ON THE BASIS OF THIS INITIAL STUDY:

 I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

 I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures in the discussion have been included as part of the proposed project. A NEGATIVE DECLARATION will be prepared.

 X I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

DATE: July 20, 2001

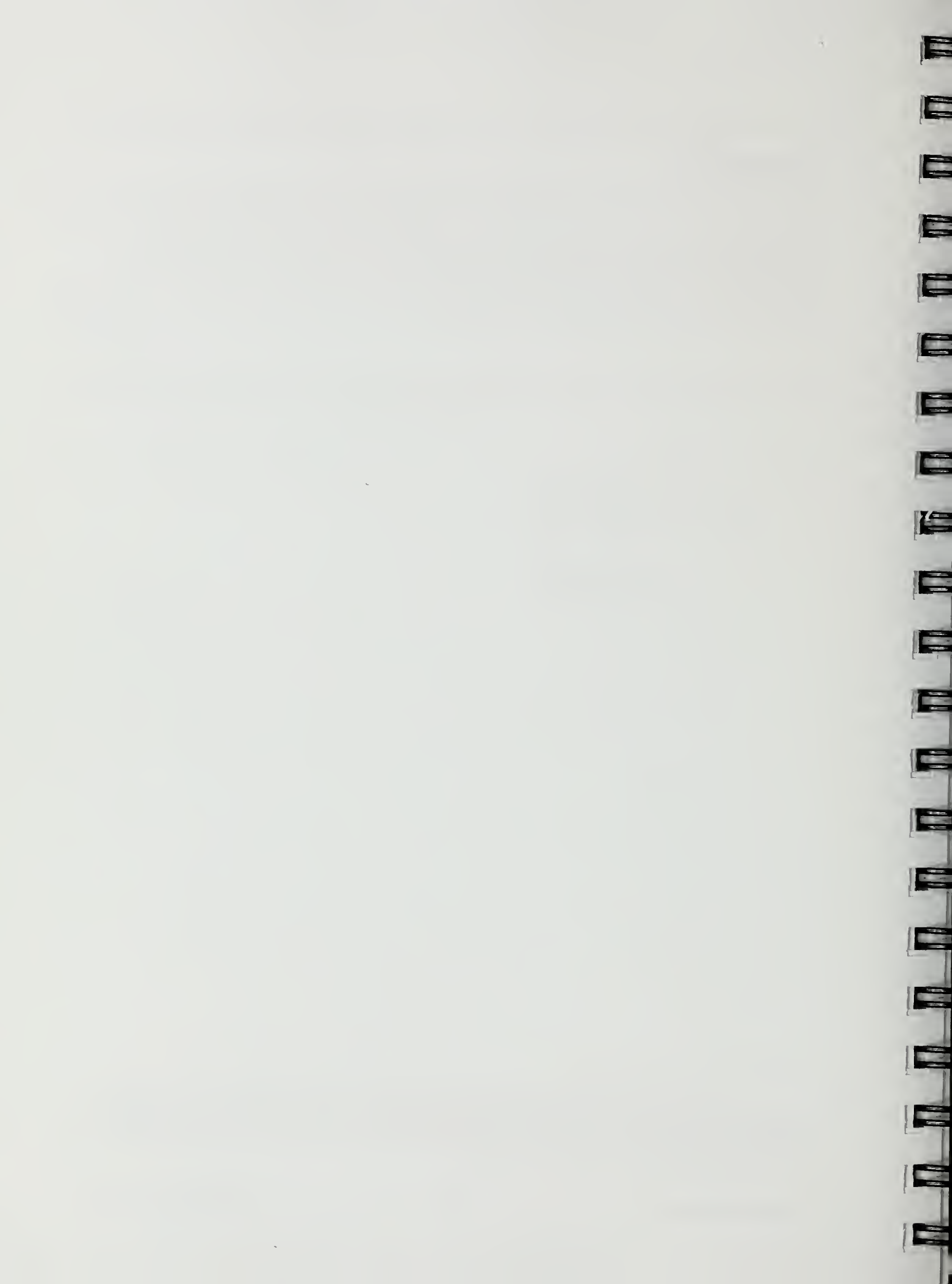


Paul Maltzer
Environmental Review Officer
for
Gerald G. Green
Director of Planning

APPENDIX B

REQUESTED AMENDMENTS TO PLANNING CODE AND GENERAL PLAN¹

¹ The requested Planning Code revisions for the Revised Project are slightly different from those presented in Appendix B. The changes are summarized in Chapter II, Project Description, p. 56d. These changes are also on file at the San Francisco Planning Department, 1660 Mission Street, and are available for review, by appointment, as part of the project file.



**TENTATIVE TERMS OF REZONING
FOR 300 SPEAR/201 FOLSOM**

REVISED AS OF FEBRUARY 21, 2002

SEC. 249.1 RINCON HILL SPECIAL USE DISTRICT

1. Amend Section 249.1(a) to reference "Residential/Commercial Subdistrict," and add Section 249.1(b)(8) establishing "Residential/Commercial Subdistrict."
2. Add new subsection (e):
 - (e) **Residential/Commercial Subdistrict.**
 - (1) **Uses.**
 - (A) Permitted uses are (i) those listed in Section 209.1 and 209.2 of this Code and (ii) those permitted in an RC-4 District, plus the uses listed in subsection (e)(1)(B) below, provided that, for newly constructed buildings or additions of twenty percent (20%) or more of an existing building's gross floor area, at least six net square feet of residential use is provided for each one net square foot of non-residential use on any lot. Additions of less than 20% of a building's gross floor area are exempt from the six to one residential requirement. Once granted, this exemption from the residential development requirement for building additions may not be repeated for any single property. Any addition of more than 20% of gross square feet of building area shall be required to provide the housing on a six-to-one basis for all of the additional building area. All areas used for parking for either residential or non-residential uses shall be excluded in the calculation of the residential/non-residential ratio. For the purposes of application of this 6 to 1 ratio, hotels, inns or hostels as defined under Section 209.2(d) and (e) shall be considered a non-residential rather than a residential use.
 - (B) The use provisions applicable to an RC-4 District shall be applicable to the "Residential/Commercial" Subdistrict with the following modifications or additions:
 - (i) all uses listed under Section 209.3 ("Institutions") shall be permitted as of right as principal uses;
 - (ii) all uses listed under Section 209.4 ("Community Facilities") shall be permitted as of right as principal uses;
 - (iii) utility uses listed in Section 209.6 shall be permitted as conditional uses, with such utility uses to include telecommunications and internet communication co-location, web-hosting and other similar facilities, provided such uses are primarily conducted within enclosed buildings;
 - (iv) in lieu of Section 209.7, automotive uses shall be those permitted in Section 223(a), Section 223(m) (except that such use shall be permitted as a principal use for only five (5) years after the construction of the

Appendix B. Requested Code and Plan Amendments

building, after which a conditional use authorization shall be required), and Section 223(p) (except that such parking lot shall be a conditional use limited to two years per each conditional use authorization);

- (v) Section 209.8 shall not be applicable;
- (vi) all uses listed in Section 218 shall be permitted as of right as principal uses;
- (vii) all uses listed in Section 219(c) shall be permitted as of right above the ground floor or below the ground floor, and all office uses listed in Section 219(c) shall be permitted on the ground floor as conditional uses;
- (viii) all uses listed in Section 222 shall be permitted as of right above or below the ground level, and shall be conditional uses at the ground level;
- (ix) all uses listed in Section 221(a)-(f) shall be permitted as of right as principal uses;
- (x) all uses listed in Section 224(a) shall be permitted as conditional uses;
- (xi) all uses listed in Section 225(b) shall be permitted as of right as principal uses;
- (xii) all uses listed in Section 226(a) shall be permitted as of right as principal uses;
- (xiii) commercial wireless facilities as per Section 227(h) or (i) shall be permitted as conditional uses;
- (xiv) all uses listed in Section 227(r) shall be permitted as of right as principal uses.
- (C) A nonconforming use may be changed to any equally or more conforming use without providing the 6 to 1 ratio of required residential space.
- (D) No use, even though listed as a permitted use or otherwise allowed, shall be permitted in the Residential/Commercial Subdistrict which, by reason of its nature or manner of operation, creates conditions that are hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.
- (2) **Density.**
 - (A) Residential Density. There shall be no density limit for residential uses in the Residential/Commercial Subdistrict. The provisions of Sections 207.1 and 208 related to residential density shall not apply.
 - (B) Non-residential Density. There shall be a density limit for non-residential uses which shall be measured as a Floor Area Ratio (FAR), as defined by Section 102.9, 102.10, 102.11 and 124 of this Code. The FAR for the Residential/Commercial Subdistrict shall be 5 to 1. The provisions of Section 123, 124, 125 and 127 relating to Floor Area Ratio shall apply.
 - (C) Area used for parking for commercial uses or residential uses including parking permitted as of right or by conditional use shall not be considered as commercial FAR.
- (3) **Open Space.**
 - (A) Open space shall be provided at the ratio of thirty six net square feet of open space for each dwelling unit if all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount

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equal to 1.33 square feet for each one square foot of required private usable open space that is not provided as private open space. Open space shall be provided at the ratio of one square foot of open space per 50 square feet of gross floor area for all other uses.

- (B) The open space requirement for residential use may be met by providing one or more of the following types of open space: private usable open space as set forth below; common open space, including an unenclosed park or plaza at grade or above, or an enclosed or partly enclosed pool or a health club, accessible to residents and guests of residents and not to the general public, and “publicly accessible open space” as set forth in (C)(i) below. Where any publicly accessible open space is used to satisfy the open space requirements for both residential and non-residential use, the open space area must be of an area at least equal to the sum of the separate open space requirements to be satisfied by that open space. Up to forty percent (40%) of the open space requirement for residential uses may be met by providing private open spaces, provided that any such private open space counted toward a portion of the open space requirement has a minimum area of 36 square feet, with a minimum dimension of four feet in any direction.
- (C) The open space requirement for non-residential uses shall be met by providing “publicly accessible open space,” which is defined as open space situated in such locations and which provides such ingress and egress as will make the area accessible to the general public and which is open to the public daily for at least twelve daylight hours.
 - (i) Publicly accessible open space. One or more of the following types of open space shall satisfy the definition of publicly accessible open space:
 - (AA) An unenclosed park or garden at grade or above;
 - (BB) An unenclosed plaza with seating areas and landscaping and no more than 10 percent of the floor area devoted to food or beverage service;
 - (CC) An enclosed pedestrian pathway, which extends through the building, which is accessed from a public street at grade, which is landscaped and has access to natural light and ventilation, and in which retail space may face the pedestrian path inside the building provided that no more than 20 percent of the floor area of the required open space may be devoted to seating areas within the pedestrian path;
 - (DD) A sun terrace or solarium with landscaping;
 - (EE) Sidewalk widening following a regular pattern of setbacks;
 - (FF) A recreation facility on the roof of a parking garage;
 - (GG) An unenclosed pedestrian street that traverses a large block in an east-west direction;
 - (HH) A publicly-accessible area with a scenic overlook;
 - (II) A publicly-accessible area within 900 feet of the site;
 - (JJ) Streetscapes on surrounding streets, as approved by the Planning Department; or,
 - (KK) Other similar open space features as more particularly defined in the Recreation and Open Space Section of the Rincon Hill Plan, a part of the General Plan.

If a sidewalk widening is used to meet the open space requirement, the Planning Commission shall require approval of the open space proposal

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by the Department of Public Works prior to Planning Commission approval of the project.

- (ii) The required publicly accessible open space shall, as determined by the Zoning Administrator:
 - (AA) Be in such locations and provide such ingress and egress as will make the area convenient, safe, secure and easily accessible to the general public;
 - (BB) Be appropriately landscaped;
 - (CC) Be accessible to public water and toilet facilities, if the required open space is in excess of 1,500 square feet;
 - (DD) Be protected from uncomfortable winds;
 - (EE) Incorporate ample seating and, if appropriate, access to limited amounts of food and beverage service, which will enhance public use of the area;
 - (FF) Be well signed and accessible to the public during daylight hours;
 - (GG) Have adequate access to sunlight if sunlight access is appropriate to the type of area;
 - (HH) Be well lighted if the area is of the type requiring artificial illumination;
 - (II) Be designed to enhance user safety and security;
 - (JJ) Be of sufficient size to be attractive and practical for its intended use; and,
 - (KK) The owner of the property on which the open space is located shall maintain it by keeping the area clean and free of litter and keeping in a healthy state any plant material that is provided. The Zoning Administrator shall have authority to require a property owner to hold harmless the City and County of San Francisco, its officers, agents and employees, from any damage or injury caused by the design, construction or maintenance of open space, and to require the owner or owners or subsequent owner or owners of the property to be solely liable for any damage or loss occasioned by an act or neglect in respect to the design, construction or maintenance of the open space.
- (4) **Parking Requirements.**
 - (A) There shall be at least one parking space for each dwelling unit, and no more than one parking space for each dwelling unit; provided, however, that for dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, there shall be at least one parking space for each five dwelling units. Parking in excess of one parking space for each dwelling unit shall not be classified as an accessory use, notwithstanding the provisions of Section 204.5(c) of this Code.
 - (B) Parking for retail uses shall be provided at a ratio of one space for each 500 occupied square feet of retail space for the first 60,000 occupied square feet of retail space; any parking for retail square footage in excess of 60,000 square feet per project shall not exceed a ratio of one space per each 1,500 occupied square feet of retail space.
 - (C) Parking for all office uses and any other non-retail commercial use shall be provided at a ratio of one space for each 1,500 occupied square feet of space.
 - (D) Parking shall not front on Folsom Street, and within 25 feet horizontal distance from other street rights of way cannot occupy more than twenty

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percent (20%) of the cumulative street frontage in the Residential/Commercial Subdistrict. This Section 4(D) applies to the ground level only, and not to any level above the ground level.

- (E) In addition to the amounts of parking set forth above, additional parking shall be allowed as of right for any project that submitted an application for environmental review prior to December 31, 2001, where such parking is necessary to replace parking for any agency or department of the United States Federal Government that is located on, or immediately adjacent to, a development site.
- (5) **Streetscape.**
- (A) Ground floor retail space (including personal service and restaurants) and space devoted to building and pedestrian circulation is required along the street frontage for a minimum of 50 percent of the street frontage; exceptions to this standard may be granted administratively by the Zoning Administrator if (s)he deems the exception to provide a more attractive, usable and visually interesting pedestrian streetscape.
- (B) Uses along a street frontage at grade level shall be visually interesting and attractive to pedestrians. Curb cuts shall be minimized. No parking ingress or egress shall be permitted that would disrupt or delay transit service.
- (6) **Site Coverage.**

There shall be no limit on site coverage. One hundred percent (100%) site coverage shall be permitted.
- (7) **Dwelling Unit Exposure.**

In light of the high density nature of the Residential/Commercial Subdistrict, the dwelling unit exposure requirements of Section 140 shall not apply.
- (8) **Height and Tower Separation Standards.**
- (A) There shall be an 80 foot maximum height for the podium/base of a building.
- (B) There shall be an overall height limit of 400 feet in the Residential/Commercial Subdistrict.
- (C) There shall be a 50 foot minimum tower height differential between towers on the same development site.
- (D) In the Residential/Commercial Subdistrict, within a particular project site, there shall be a minimum 82 ½ foot separation between towers.
- (E) Along interior property lines the above tower separation standards will not apply. Instead, towers will be set back at least 20 feet from the interior property line.
- (F) All space above the 200 foot height level shall be devoted to residential use.
- (9) **Bulk Standards.** The Residential/Commercial subdistrict shall be subject to "W" Bulk District controls, as follows:
- (A) Base (0-80 feet): Unlimited. The site coverage limitations of Section 249.1(b)(1) shall not apply.
- (B) (1) Buildings over 80' in height, but less than 300 feet, shall be limited to a maximum plan length of 100 feet and a maximum diagonal length of 125 feet.

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- (2) Buildings over 300 feet in height shall not exceed a maximum plan length of 115 feet and a maximum diagonal length of 145 feet.
- (C) A 10% volume reduction is required for the upper tower of any building that is 300 feet in height or taller. The upper tower is defined as the top one-third portion of a free standing tower; for a tower that sits atop a podium or base, the upper tower is defined as the top one-third of the height of the tower as measured from the top of the podium or base.
Folsom Street Setback: Above the base, at least 50% of the entire Folsom Street frontage shall be set back a minimum of 12 ½ feet. No setback will be required for any portion of the frontage occupied by a tower with a height in excess of 80 feet, unless that tower or towers occupies more than 50% of the total Folsom Street frontage.
- (10) **Affordable Housing.**
- (A) Each residential project within the Residential-Commercial Subdistrict shall address the City's need for affordable housing through one of the following:
 - Designate 10% of the units on-site within the principal project as affordable (below market rate or "BMR") rental or condominium ownership units.
 - Provide affordable BMR rental or condominium ownership units at another site within the City at a rate equivalent to 15% of the units within the principal project.
 - A combination of on-site and off-site affordable BMR units.
- (B) All affordable BMR units required pursuant to this section shall be leased/sold to households with a household income not to exceed 100% of the median income for the San Francisco Principal Metropolitan Statistical Area (PMSA) for the year in which the particular unit is leased or sold. The restriction requiring lease or sale prices to be limited to prices affordable to qualified households with a gross annual income of 100% of the area median income shall apply for a fifty (50) year period from the date of the initial sale or lease of the BMR unit. If otherwise permitted by City Ordinance, for sale units may be leased or sold at a range of prices affordable at 80-120% of median income or less, provided that the average sale price shall not exceed that affordable at 100% of median income.
- (C) The decision regarding whether to comply with the BMR requirement by means of on-site units or off-site units or a combination of each shall be within the sole discretion of the sponsor of each principal residential project. To the extent the BMR units are provided on the principal project site, the BMR units shall be distributed evenly on each level where market rate residential units are located from the ground level to a height equal to no less than one-half the height of the building. A disproportionate number of affordable units may not be located in such a way as to be adjacent to noise generating mechanical devices such as ventilation equipment, garage doors, laundry rooms or other similar noise-generating uses or devices.
- (D) To the extent that the sponsor of the principal project elects to satisfy all or part of its BMR requirement off-site, the temporary occupancy permit for each off-site affordable unit must be issued prior to the issuance of

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the temporary occupancy permit of the market-rate units in the principal project. If, at the time that the sponsor requests the temporary certificate of occupancy (TCO) for the principal project (or a phase thereof), the sponsor has not obtained TCOs for a sufficient number of off-site BMR units to satisfy the principal project's requirement, the sponsor shall satisfy any unmet requirement by meeting the requirement with on-site units.

- (E) Whether provided on-site or off-site, the mix of inclusionary units shall be equal to or greater in number of bedrooms per unit than the mix of market-rate units in the principal project.



300 SPEAR STREET

2000.1090E

FIGURE B-1: RINCON HILL SUD - USE DISTRICTS MAP,
AS REQUESTED TO BE AMENDED



300 SPEAR STREET

2000.1090E

FIGURE B-2: RINCON HILL SUD - SPECIAL USE DISTRICTS MAP,
AS REQUESTED TO BE AMENDED

8.15.02



SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE B-3: RINCON HILL SUD - HEIGHT AND BULK LIMITS MAP,
AS REQUESTED TO BE AMENDED

**TENTATIVE TERMS OF GENERAL PLAN AMENDMENT (RINCON
HILL PLAN)
FOR 300 SPEAR/201 FOLSOM
(Revised as of February 21, 2002)**

- p. II.3.2: *Delete last paragraph, referencing planned reduction in width of Main, Beale, and Spear Streets.*
- p. II.3.6: *Amend Objective 3 by including reference to the new subdistrict. The new Objective will read as follows:*

TO ALLOW EXISTING INDUSTRIAL, SERVICE AND OFFICE
USES TO REMAIN AND CREATE NEW SUCH USES IN
DESIGNATED LOCATIONS INCLUDING NEW SERVICE AND
OFFICE USES IN THE BASES OF PRIMARILY RESIDENTIAL
BUILDINGS IN THE "RESIDENTIAL/COMMERCIAL"
SUBDISTRICT.

- p. II.3.6: *Amend Objective 3, Policies to include reference to the new subdistrict. The new paragraph will read as follows:*

Rincon Hill should be divided into ~~two~~ three subareas: residential, ~~and~~
commercial/industrial, and residential/commercial. The subarea
boundaries are shown on Map 3.

- p. II.3.7: *Amend Land Use Plan, Map 3 to show 300 Spear/201 Folsom and 160 Harrison lots as new "Residential/Commercial Subdistrict." (See Attachment A.)*
- p. II.3.8: *Amend Objective 3, Policies by adding new section just ahead of "Non-Conforming Uses" paragraph to describe new residential/commercial subdistrict. The new section will read as follows:*

Residential/Commercial

This designation applies to those properties that previously were zoned "P" but which have been or are in the process of being sold to private entities for private development. Most of this area, including the northern half of Blocks 3745 and 3746, currently is used only for parking. The controls represent a combination of the residential district controls for RC-4 districts (with the exception that all institutional and community facilities uses would be permitted as of right) and certain uses permitted in the adjacent C-3 districts, which are believed compatible with the high intensity residential uses in this new subdistrict.

This area, consisting primarily of two very large vacant sites, should be developed predominantly with high-rise residential structures built over bases which could provide a combination of residential, retail, office and other commercial uses.

Appendix B. Requested Code and Plan Amendments

- p. II.3.9: *Amend Objective 5, Policies, third paragraph by deleting last sentence in order to make the Plan consistent with the existing Rincon Hill parking requirements. The paragraph will read as follows:*

Mixed use and flexible parking provisions should be incorporated into zoning controls to provide additional incentives for more affordable housing. Allowing one square foot of commercial use for each six square feet of residential use in the Residential Midrise and Highrise areas can help support lower cost units. ~~Parking requirements can be reduced because of the proximity of the area to Downtown and to transit service and the cost savings translated into lower housing costs.~~

- p. II.3.9: *Revise Objective 12 to read as follows:*

WHERE FEASIBLE, TO REDUCE THE PRESENT INDUSTRIAL SCALE OF THE STREETS BY CREATING A CIRCULATION NETWORK THROUGH THE INTERIOR BLOCKS, CREATING A STREET SCALE COMPARABLE TO THOSE IN EXISTING RESIDENTIAL AREAS ELSEWHERE IN THE CITY.

- p. II.3.9: *Delete Objective 13. [Re-number remainder of Objectives.]*

~~TO REDUCE THE WIDTHS OF MAIN, SPEAR, AND BEALE STREETS TO CREATE ADDITIONAL DEVELOPABLE AREA AS WELL AS NEW PEDESTRIAN SPACE.~~

- p. II.3.10: *Amend Objective 15, Policies, fourth paragraph, third bullet point to add a new sentence. The bullet point will read as follows:*

Towers should be sited in a way that avoids excessive screening of downtown views from the bridge and minimizes shadowing of open space. Therefore, distances between towers in the same height district above 105' should not be less than approximately 105 feet. In the Residential/Commercial Subdistrict, within a particular project site there shall be a minimum separation of 82 ½ feet between towers above 80 feet.

- p. II.3.10: *Amend Objective 15, Policies, fourth paragraph by adding the following bullet:*

- Additional height should be allowed in the Residential/Commercial Subdistrict in order to take full advantage of the potential of the large vacant sites to make a major contribution to meeting the city's housing needs, while meeting urban design goals of providing slender towers which do not unduly screen views from the Bay Bridge.

- p. II.3.10: *Amend Objective 20, Policies, first paragraph by removing reference to Block 3745 and 3746, and adding a new second paragraph specific to*

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the Residential/Commercial Subdistrict. The new paragraphs shall read as follows:

Each development should provide publicly accessible open space in an amount equal to 20% of the site area. Pedestrian streets, sidewalk widening are encouraged and reservations of open space (by specifying maximum lot coverage) are mandated in the Plan for Blocks 3744-3748 3744, 3747-3748. These spaces should be publicly accessible and beautified with lighting, decorative paving, seating and landscaping. In addition to these open spaces on the designated blocks, public open space should be permitted to be provided in a variety of outdoor forms, on the ground floor or above, subject to review and approval by the City Planning Commission.

For the Residential/Commercial Subdistrict, each development should provide publicly accessible open space in an amount equal to one net square foot of open space per 50 square feet of gross floor area for non-residential uses.

- p. II.3.11: *Amend Height Limits, Map 4 to reflect overall height limits of 400 feet and 300 feet, respectively, for the Residential/Commercial Subdistrict. (See Attachment B.)*

- p. II.3.12: *Amend text under "Private Residential Open Space" heading by adding a new second paragraph addressing the Residential/Commercial Subdistrict. The new paragraphs shall read as follows:*

In the Residential/Commercial Subdistrict, residential open space should be provided in relation to the number of residential units at a ratio of 36 (thirty-six) net square feet of open space for each dwelling unit if all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33 square feet for each one square foot of required private usable open space that is not provided as private open space.

- p. II.3.12: *Delete Objective 22.*

~~TO REDUCE WIDTHS OF SELECTED STREETS TO THOSE
WHICH MEET CIRCULATION NEEDS AND COMPLEMENT
RESIDENTIAL USE.~~

- p. II.3.13: *Amend Publicly Accessible Open Space Opportunities, Map 5 by deleting references to "Sidewalk Widening." (See Attachment C.)*

- p. II.3.14: *Amend Objective 26, Policies, Pedestrian Street, second paragraph to delete reference to Embarcadero Freeway. The new paragraph shall read as follows:*

Appendix B. Requested Code and Plan Amendments

Harrison and Folsom Streets, the Hill's two east-west streets, which are unpleasant for pedestrians will remain as major vehicular traffic corridors ~~regardless of what happens to the Embarcadero Freeway in the future~~. Therefore, as a key organizing feature of the Rincon Hill Plan, a new east-west circulation system should be created in the middle of the long blocks between Folsom and Harrison Streets. These accessways will establish a domestic scale reminiscent of the city's established residential neighborhoods, and when completed, will help provide pedestrian routes from the top of the Hill to the Embarcadero Promenade on the waterfront. In some cases the pedestrian street will also provide limited vehicular access.

- p. II.3.16: *Amend Objective 26, Policies, fourth paragraph, third and fourth subparagraphs, entitled "Assessor's Block 3746" and "Assessor's Block 3745." The new subparagraphs should read as follows:*

Assessor's Block 3746: (Beale, Folsom, Main, Harrison) Access should be provided across this block at grade. Service retail should be provided at the Main and Beale Street corners of the pedestrian street.




Assessor's Block 3745: (Main, Folsom, Spear, Harrison) Access should be provided across this block at or near grade. Service retail should be provided near the Spear and Main Street entrances to the walkway. Access need not be provided at mid-block if another location would result in an overall better design.

- p. II.3.16: *Amend Objective 26, Policies, twelfth paragraph (entitled "Accessory Parking") to reflect a parking ratio of 1:500 for retail and to allow replacement of parking currently used by federal agencies located on or adjacent to a development site. The new paragraphs shall read as follows:*

Accessory Parking: The parking requirements take into account the potential for joint use of parking space made possible by mixed-use development. The proximity to downtown and proposed new transit make it possible to limit residential parking to one space per unit. Similarly, the parking requirement for offices can be reduced to one space per 1,500 square feet of ~~commercial~~ office space. However, in order to encourage viable retail uses, including, if possible, a grocery store, parking for retail uses shall be permitted at one space per 500 square feet for the first 60,000 square feet of retail uses on any project site.

Furthermore, additional parking shall be allowed as of right for any project that submitted an application for environmental review prior to December 31, 2001, where such parking is necessary to replace parking for any agency or department of the United States Federal Government that is located on, or immediately adjacent to, a development site.



-  RESIDENTIAL/COMMERCIAL
-  RESIDENTIAL
-  COMMERCIAL



No Scale

SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE B-4: RINCON HILL PLAN - MAP 3 LAND USE PLAN,
AS REQUESTED TO BE AMENDED

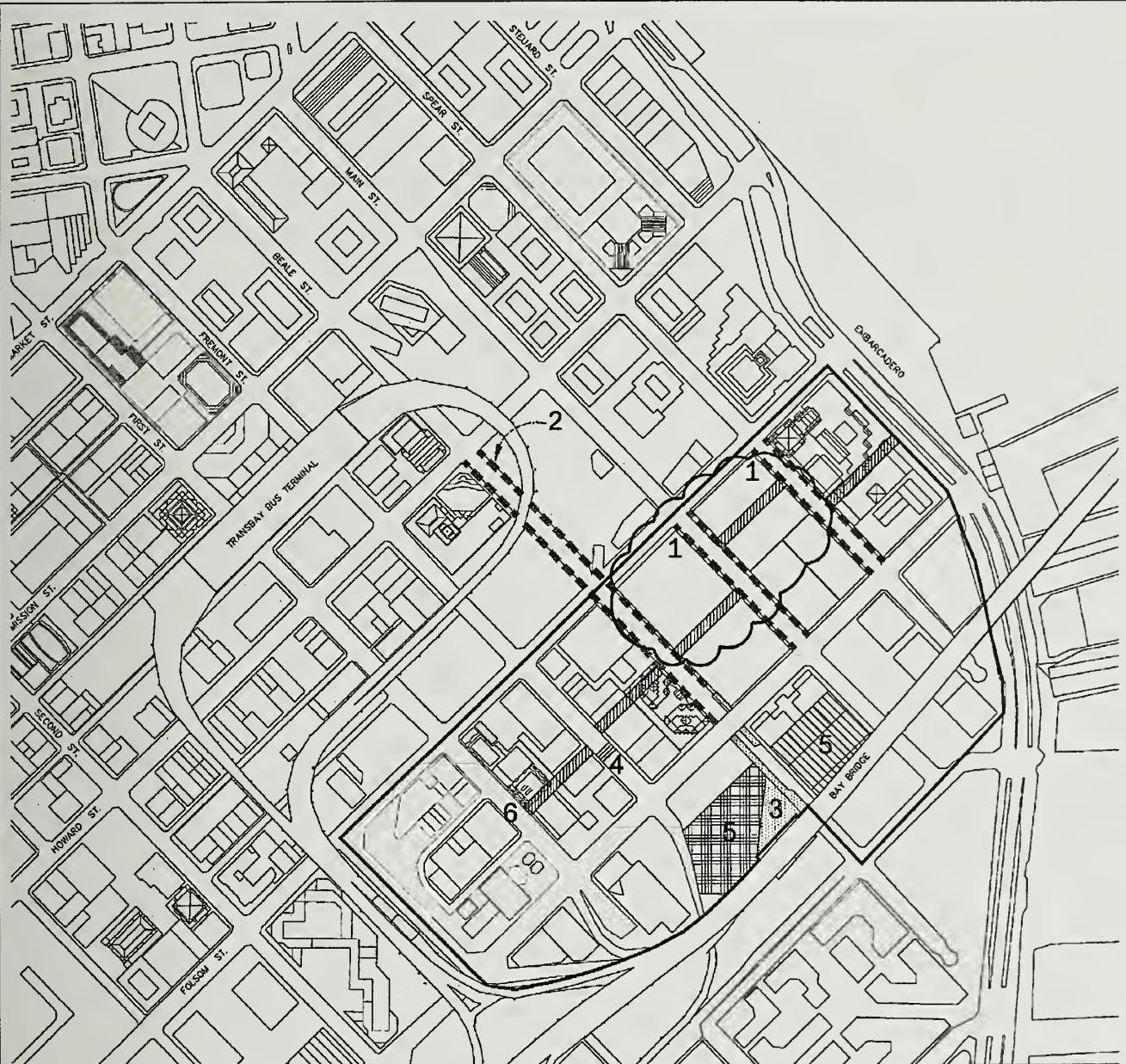


SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE B-5: RINCON HILL PLAN - MAP 4 HEIGHT LIMITS PLAN,
AS REQUESTED TO BE AMENDED



1. STREET BEAUTIFICATION
2. STREET BEAUTIFICATION, TO CREATE PEDESTRIAN CORRIDOR TO FINANCIAL DISTRICT
3. PRESERVE OPEN SPACE AROUND BAY BRIDGE ANCHORAGE
4. CREATION OF WIDE PEDESTRIAN OVERPASS
5. RECREATION FACILITIES ON ROOFTOPS OF POTENTIAL INTERCEPT PARKING STRUCTURE
6. CREATION OF A PEDESTRIAN STREET NETWORK



No Scale

SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE B-6: RINCON HILL PLAN - MAP 5 PUBLICLY ACCESSIBLE OPEN SPACE OPPORTUNITIES, AS REQUESTED TO BE AMENDED



PEDESTRIAN STREET NETWORK



No Scale

8.15.-02

SOURCE: Turnstone Consulting

300 SPEAR STREET

2000.1090E

FIGURE B-7: RINCON HILL PLAN - MAP 6 PEDESTRIAN STREET LOCATION MAP,
AS REQUESTED TO BE AMENDED

APPENDIX C

TRANSPORTATION

GENERAL PLAN ROADWAY CLASSIFICATIONS

The San Francisco Planning Department has developed a street hierarchy system for the City and County of San Francisco, in which the function and design of each street are consistent with the character and use of adjacent land. The major classifications in the Vehicle Circulation Plan of the San Francisco *General Plan* are:

- **Freeways:** Limited access, very high capacity facilities; primary function is to carry intercity traffic; they may, as a result of route location, also serve the secondary function of providing for travel between distant sections in the city.
- **Major Arterials:** Cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.
- **Transit Conflict Streets:** Streets with a primary transit function which are not classified as major arterials but experience significant conflicts with automobile traffic.
- **Secondary Arterials:** Primarily intra-district routes of varying capacity serving as collectors for the major thoroughfares; in some cases supplemental to the major arterial system.
- **Recreational Streets:** A special category of street whose major function is to provide for slow pleasure drives and cyclist and pedestrian use; more highly valued for recreational use than for traffic movement. The order of priority for these streets should be to accommodate: 1) pedestrians, hiking trails or wilderness routes, as appropriate; 2) cyclists; 3) equestrians; 4) automobile scenic driving. This should be slow and consistent with the topography and nature of the area.
- **Collector Streets:** Relatively low-capacity streets serving local distribution functions primarily in large, low-density areas, connecting to major and secondary arterials.
- **Local Streets:** All other streets intended for access to abutting residential and other land uses, rather than for through traffic; generally of lowest capacity.

In addition to the San Francisco Planning Department's roadway classifications, the freeways, major arterials, and transit conflict streets are included in the Congestion Management Program (CMP) Network and Metropolitan Transportation System (MTS) Network (see below).

Transit Preferential Streets

The Transit Preferential Street network classification system takes into consideration all transportation functions, and identifies the major transit routes where general traffic should be routed away from. There are two classifications of transit preferential streets: Primary Transit Streets, which are either transit-oriented or transit-important; and Secondary Transit Streets.

- **Primary Transit Street - Transit-Oriented:** Not major arterials, with either high transit ridership, a high frequency of service, or surface rail. Along these streets, the emphasis should be on moving transit vehicles, and impacts on automobile traffic should be of secondary concern.
- **Primary Transit Street - Transit-Important:** Major arterials, with either high transit ridership, high frequency of service, or surface rail. Along these streets, the goal is to improve the balance between modes of transportation, and the emphasis should be on moving people and goods, rather than on moving vehicles.
- **Secondary Transit Street:** Medium transit ridership and low-to-medium frequency of service, or medium frequency of service and low-to-medium transit ridership, or connects two or more major destinations.

In general, it is City policy that transit preferential treatments should be concentrated on the most important transit streets, and the treatments applied should respond to all transportation needs of the street. For example, on streets that are major arterials for transit and not for automobile traffic, treatments should emphasize transit priority; on streets that are major arterials for both transit and automobiles, treatments should emphasize a balance between the modes. It is also City policy that automobile facility features (such as driveways and loading docks) should be reduced, relocated or prohibited on transit preferential streets in order to avoid traffic conflicts and automobile congestion.

Citywide Pedestrian Network

The Citywide Pedestrian Network is a classification of streets throughout the City used to identify streets devoted to or primarily oriented to pedestrian use. The main classifications are:

- **Citywide Pedestrian Network Street:** An inter-neighborhood connection with “citywide significance” includes both exclusive pedestrian and pedestrian-oriented vehicular streets. These streets include the Bay, Ridge, and Coast trails, are used by commuters, tourists, general public and recreaters, and connect major institutions with transit facilities.
- **Neighborhood Network Street:** A neighborhood commercial, residential or transit street that serves pedestrians from the general vicinity. Some streets may be part of the Citywide network, but are generally oriented towards neighborhood-serving uses. Types include exclusive pedestrian and pedestrian-oriented vehicular streets. As part of the Neighborhood Network Street network, streets are classified as **Neighborhood Commercial Streets**, which are streets that are predominately commercial use with parking and loading conflicts, or **Neighborhood Network Connection Streets**, which are intra-neighborhood connection streets that connect neighborhood destinations.

In general, it is City policy that sufficient pedestrian movement space should be provided to minimize pedestrian congestion, sidewalks should be widened where intensive commercial,

recreational or institutional activity is present, and efforts should be made to ensure convenient and safe pedestrian crossings at intersections.

Congestion Management Program (CMP) Network

The CMP Network is the network of freeways, state highways, major arterials and transit conflict streets (see Roadway Classifications, above) established in accordance with state Congestion Management legislation. As part of the CMP, the San Francisco County Transportation Authority is required to determine the level of service (LOS) for the CMP Network streets every two years. The LOS is based on the average travel speed for each roadway segment during both the AM and PM peak periods. The level of service standard is LOS E, except for roadway segments that operated at LOS F in 1991 (when the first study was performed). The CMP requires development of "Deficiency Plans" for any CMP-designated roadway that operate at LOS F. These plans include an analysis of the causes of the deficiency, a list of improvements that would have to be made to prevent the deficiency from occurring (including cost estimates), a list of improvements proposed as part of the plan, and an action plan for implementation of the improvements (including an implementation schedule).

Table C-1 shows the most-recently determined travel speeds and levels of service for the CMP network streets in the vicinity of the project area for the weekday PM peak period (generally 4:00 to 6:00 PM).

For the other CMP network roadway segments in the vicinity of the project site, no travel speed or level of service information is provided.

Metropolitan Transportation System (MTS) Network

The MTS Network is defined by Metropolitan Transportation Commission (MTC) as part of its Regional Transportation Plan. The MTS is a regional network of roadways, transit corridors and transfer points, identified by the MTC on the basis of specific criteria. The criteria identified facilities that provide relief to congested corridors, improve connectivity, accommodate travel demand and serve a regional transportation function. The State highways and major thoroughfares designated in San Francisco's CMP roadway network are all included in the regional MTS network. There are a few instances in which the local CMP network is not identical to the MTS network due to differences in the criteria used to define each network.

LEVELS OF SERVICE DEFINITIONS

Intersection operating conditions are described by Levels of Service (LOS). LOS is a qualitative description of an intersection's performance, based on the average delay per vehicle. LOS definitions are different for signalized and unsignalized intersections. Tables C-2 and C-3 provide these definitions.

Table C-1: Roadway Performance - Weekday PM Peak Period

Roadway Segment	Direction	Travel Speed	LOS	Year Reported
Market - Van Ness to Drumm	E	6.3	F	1995
Market - Drumm to Van Ness	W	15.5	C	1993
Mission - Embarcadero to Third	S	10.7	D	1999
Mission - Third to Embarcadero	N	5.1	F	1999
Howard - Embarcadero to Van Ness	W	13.6	C	1993
Harrison - Embarcadero to First	W	9.4	D	1999
Harrison - First to Fourth	W	20.5	B	1993
Bryant - Fourth to Embarcadero	E	13.2	C	1993
Embarcadero - N. Point to Townsend	S	16.4	C	1995
Embarcadero - Townsend to N. Point	N	16.7	C	1993
Main - Mission to Market	N	7.7	E	1999
Beale - Clay to Mission	S	13.4	C	1993
Fremont - Harrison to Market	N	16.6	C	1997
First - Market to Harrison	S	15.5	C	1993
I-80 - US 101 to Fremont	E	25.9	F	1993
I-80 - Fremont to Treasure Island	E	23.1	F	1999
I-80 - Treasure Island to Fremont	W	26.3	F	1993
I-80 - Fremont to US 101	W	21.5	F	1993

Source: Wilbur Smith Associates, San Francisco Transportation Authority - August 2001

Table C-2: Signalized Intersection Level of Service Definitions

Level of Service	Stopped Delay (sec/veh)	Typical Traffic Conditions
A	<5.0	Insignificant Delays: Progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop at all.
B	5.1 - 15.0	Minimal Delays: Generally good progression, short cycle lengths, or both. More vehicles stop than with LOS A.
C	15.1 - 25.0	Acceptable Delays: Fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear, though many still pass through the intersection without stopping. Most drivers feel somewhat restricted.
D	25.1 - 40.0	Tolerable Delays: The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable. Queues may develop but dissipate rapidly, without excessive delays.
E	40.1 - 60.0	Significant Delays: Considered by many agencies to be the limit of acceptable delay. These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences. Vehicles may wait through several signal cycles and long queues of vehicles form upstream.
F	>60.0	Excessive Delays: Considered to be unacceptable to most drivers. Often occurs with over saturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes to such delay levels. Queues may block upstream intersections.

Sources: *Highway Capacity Manual*, Special Report No. 209, 1985, 3rd edition, Transportation Research Board, Washington, D.C. (Updated 1994); Wilbur Smith Associates, 2002

Table C-3: All-Way Stop Controlled Intersection LOS Definitions

Level of Service	Average Total Delay (seconds/vehicle)
A	<5.0
B	5.1 - 10.0
C	10.1 - 20.0
D	20.1 - 30.0
E	30.1 - 45.0
F	>45.0

Sources: Highway Capacity Manual, Special Report No. 209, 1985, 3rd ed, Transportation Research Board, Washington, D.C. (Updated 1994); Transportation Research Circular 373: Interim Research Board, Washington, D.C.; Wilbur Smith Associates, 2002



SOURCE: Wilbur Smith Associates

300 SPEAR STREET

2000.1090E

FIGURE C-1: SAN FRANCISCO MUNI SCREENLINES

APPENDIX D

WIND TUNNEL ANALYSIS

**WIND TUNNEL ANALYSIS FOR THE PROPOSED
300 SPEAR STREET PROJECT, SAN FRANCISCO**

Prepared for:

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I. INTRODUCTION

The proposed project would be located northern half of the block bounded by Folsom Street, Main Street, Harrison Street and Spear Street in the Rincon Hill area of San Francisco. The project would be a high-rise residential building providing retail space on the ground floor. The building would consist of two residential towers of 33 and 37 stories rising from a low-rise podium building covering the entire site. An interior lobby loading area, open above, would be located near the center of the building and accessed from a driveway on Main Street. The rooftop of the podium would provide outdoor space for residents. The lower levels of the structure would include parking and amenities for residents, as well as retail space accessible from the street.

This report includes the results of two separate wind tunnel modeling efforts. The first set of tests included existing conditions and project conditions using the 300 Spear Initial Study Design and, for cumulative runs, the proposed 201 Folsom Initial Study Design.

The second set of wind tunnel tests repeated, for all sidewalk measurement points, measurements using the 300 Spear Project design and proposed 201 Folsom Project design. Measurements at interior locations, rooftop locations and the test run for the cumulative case with conceptual buildings within the Transbay Terminal Redevelopment area were not repeated, as the information from the tests with the 300 Spear Initial Study Design and 201 Folsom Initial Study Design were deemed adequate to describe impacts of the 300 Spear Project design for these locations and scenarios.

The results of five scenarios are reported here:

(1) Existing conditions. Several buildings currently under construction or approved were included in the existing model, including the 160 Harrison Street additions, the 400 Beale Street project, the First and Howard development, 199 Fremont Street, the 215 Fremont remodeling, 325 Fremont Street and 301 First Street project. The 325 Fremont and 301 First Street projects have been approved, but are not yet under construction.

(2) Existing conditions plus the 300 Spear Project design reviewed in the EIR.

(3) Existing conditions plus the proposed project and the adjacent proposed 201 Folsom Project design (denoted Local Cumulative).

(4) Existing conditions plus the 300 Spear Initial Study Design and 201 Folsom Initial Study Design (denoted Initial Study Cumulative).

(5) A cumulative case including both the 300 Spear Initial Study Design and 201 Folsom Initial Study Design with conceptual buildings within the Transbay Terminal Redevelopment Area located northwest of the project site (denoted Transbay Cumulative).

Two wind tunnel studies were performed in investigate the pedestrian wind environment around the 300 Spear project site. Pedestrian-level wind speeds were measured at selected points for the existing site and with the addition of the 300 Spear Project design and the 300 Spear Initial Study Design. Three cumulative runs were also made. The wind tunnel data was used to quantify wind impacts in public spaces near the site and predict the acceptability of wind conditions near the site. Interior rooftop measurements were also made to provide information on the usability of proposed outdoor spaces within the project.

II. METHODOLOGY

Wind Tunnel Facilities

The studies were conducted in the Boundary Layer Wind Tunnel at the Department of Architecture, University of California, Berkeley. The interior dimensions of the wind tunnel duct are 5 feet high, seven feet wide and 45 feet long. The test area is 36 feet downwind of the inlet, with the fan downwind of the test area. Figures 1 and 2 show the construction and dimensions of the U.C. Berkeley wind tunnel.

Model and Boundary Layer

A scale model of the project site and the surrounding area was constructed. The model extended several blocks beyond the project boundaries in all directions. Wind obstructions located further away from the project site were considered part of the general roughness of the site, and were modeled as part of the characteristic atmospheric boundary layer in the wind tunnel.

Simulation of the boundary layer in the natural wind is achieved by turbulence generators placed upwind of the test section. This allows for adjustment in the wind characteristics to provide for different model scales and varying terrain upwind of the project.

Instrumentation

The velocity measurements in this study were made with a TSI model 1266 and model TSI 1210-20 hot wire anemometers. Prior to commencement of the experiments both the probes were calibrated. Subsequent side-by-side comparisons between the two probes indicated agreement to within 5%.

A total of 44 velocity measurement locations were selected for this study located along sidewalk areas adjacent to and near the project site for all runs. An additional 10 measurements were made in the rooftop space or interior open space created by the project for the Initial Study Cumulative run. Data from these tests were deemed adequate to describe impacts of the 300 Spear Project design for these locations.

In accordance with the San Francisco Wind Ordinance methodology for wind tunnel tests the model was tested for four wind directions: northwest, west-northwest, west and west-southwest. Each measurement consisted of simultaneous readings from two anemometer probes, one positioned at the desired pedestrian level location and the other at a stationary reference location above the wind tunnel floor. The axes of the probes were positioned vertically in all cases. The height of the reference sensor was selected to provide a stable characteristic reference velocity away from the influence of the building models and ground-level measurements. During each measurement the two velocity probes were sampled at a rate of 10 samples per second for a duration of 30 seconds. The collected data were analyzed to produce the quantities of interest: mean velocity, turbulence intensity, and equivalent wind speed.

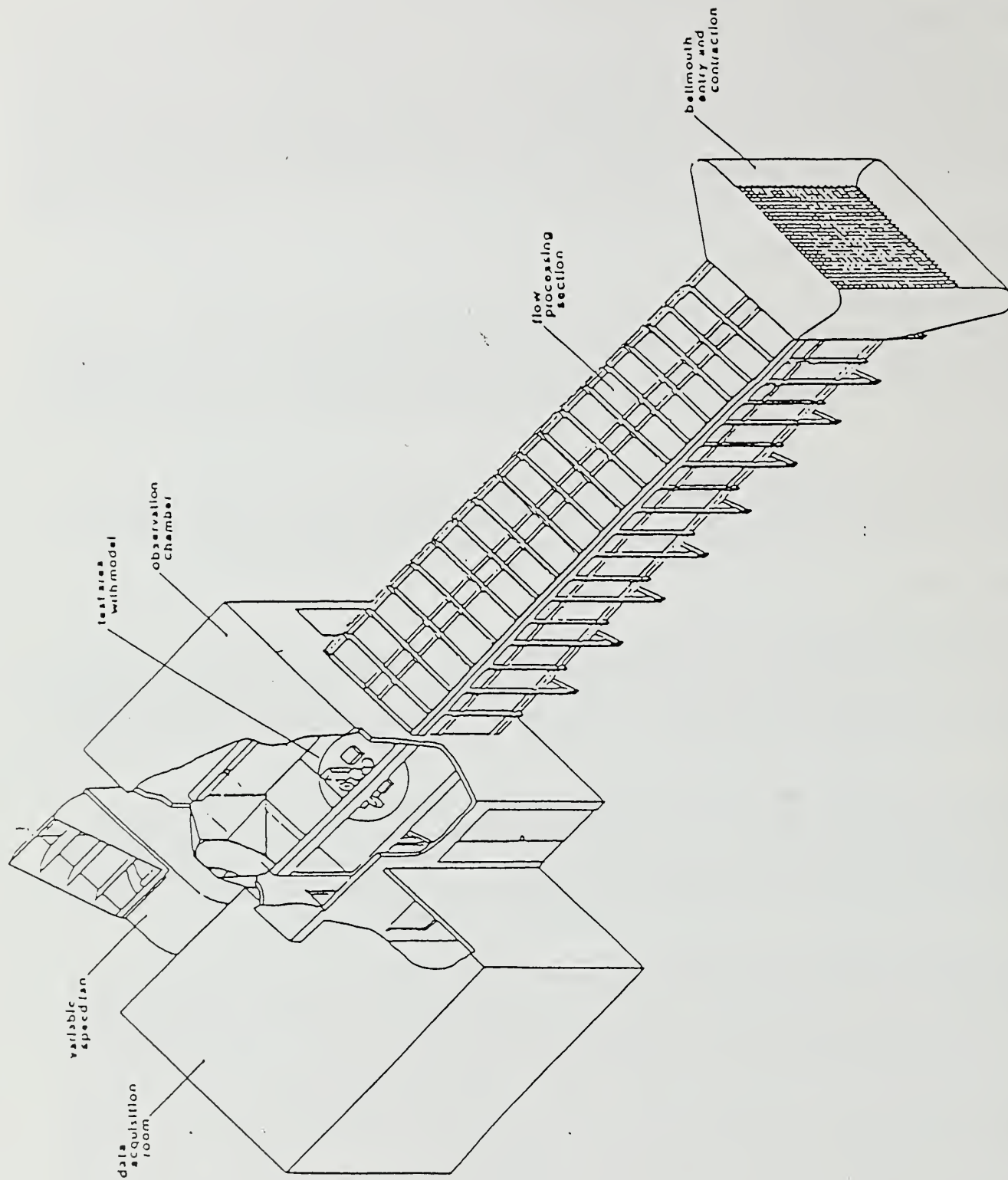


FIGURE 1
BOUNDARY LAYER WIND TUNNEL

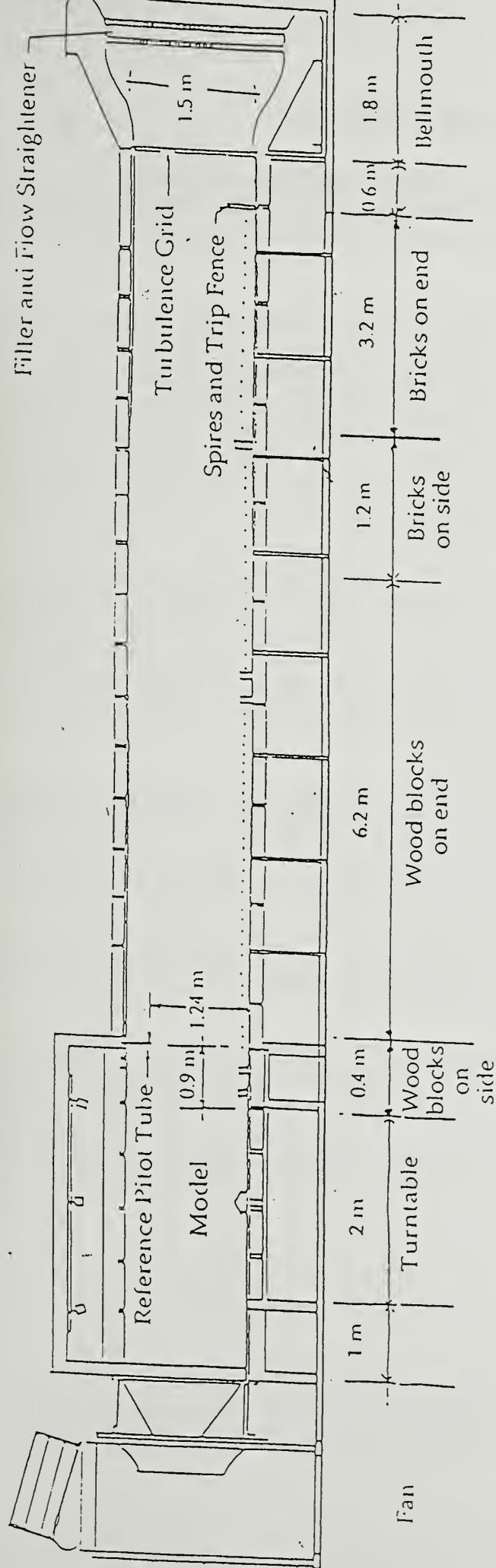


FIGURE 2: Boundary Layer Wind Tunnel Configuration

III. CRITERIA AND HISTORICAL WIND RECORDS

Wind conditions partly determine pedestrian comfort on sidewalks and in other public areas. In downtown areas, high-rise buildings can redirect wind flows around buildings and divert winds downward to street level; each can result increased wind speed and turbulence at street level.

The comfort of pedestrians varies under different conditions of sun exposure, temperature, clothing, and wind speed. Winds up to four MPH have no noticeable effect on pedestrian comfort. With winds from four to eight MPH, wind is felt on the face. Winds from 8 to 13 MPH will disturb hair, cause clothing to flap, and extend a light flag mounted on a pole. For winds from 19 to 26 MPH, the force of the wind will be felt on the body. At 26 MPH to 34 MPH wind, umbrellas are used with difficulty, hair is blown straight, there is difficulty in walking steadily, and wind noise is unpleasant. Winds over 34 MPH increase difficulty with balance and gusts can blow people over.¹

The City of San Francisco Planning Code establishes wind criteria for the Rincon Hill Special Use District under Section 249.1 of the Planning Code. Section 249.1 of the Planning Code sets comfort levels of 7 MPH equivalent wind speed for public seating areas and 11 MPH equivalent wind speed for areas of substantial pedestrian use. In addition to comfort criteria San Francisco Planning Code establishes a wind hazard criterion. The hazard criterion is set at a hourly averaged wind speed of 26 MPH, which is not to be exceeded more than once during a year.

Predictions of wind speed are based upon historical wind records from the U.S. Weather Bureau weather station atop the old Federal Building at 50 United Nations Plaza during the years 1945-1950. This data base, comprised of 32,795 hourly observations is of sufficient length to provide a reliable estimate of future climatic conditions in San Francisco.

Table 1 shows that average wind speeds are greatest in the summer and least in the fall. Winds also exhibit a diurnal variation with the strongest winds occurring in the afternoon, and lightest winds occurring in the early morning.

Winds in San Francisco are most frequently from the west to northwest directions, reflecting the persistence of sea breezes. Wind direction is most variable in the winter. The approach of winter storms often results in southerly winds. Although not as frequent as westerly winds, these southerly winds are often strong. The strongest winds in San Francisco are typically from the south during the approach of a winter storm.

Table 1: Seasonal Wind Direction Frequency In Percent and Average Speed in Knots²

Direction	January		April		July		October		Annual	
	Freq.	Speed	Freq.	Speed	Freq.	Speed	Freq.	Speed	Freq.	Speed
N	12.5	7.9	2.2	11.0	0.3	6.0	3.3	6.6	5.0	7.2
NNE	1.3	5.6	0.7	6.1	0.3	6.8	0.7	6.6	0.8	6.0
NE	4.5	5.3	1.3	4.7	1.1	7.4	2.2	5.8	1.9	5.6
ENE	1.4	6.3	0.6	4.8	0.2	5.1	0.8	5.1	0.8	5.6
E	11.9	4.8	2.6	4.5	0.1	3.9	4.8	4.5	4.8	5.0
ESE	2.1	6.4	0.3	5.2	0.1	2.5	0.6	5.8	0.8	5.8
SE	9.1	6.4	2.4	7.8	0.2	5.0	3.7	6.6	4.2	6.8
SSE	2.8	5.6	0.3	3.8	0.1	3.0	1.3	9.0	1.2	6.4
S	6.7	5.0	4.2	7.1	1.1	4.9	4.5	7.5	4.1	6.4
SSW	1.0	4.8	0.4	4.1	0.1	3.0	1.7	12.8	0.9	8.6
SW	4.5	8.0	7.7	9.2	15.6	10.1	7.8	9.1	9.3	9.3
WSW	1.0	5.9	1.7	7.7	1.2	8.1	2.8	8.8	2.4	8.6
W	13.2	7.2	43.0	10.9	53.0	13.1	34.6	9.1	35.7	10.9
WNW	7.5	11.1	20.7	14.1	14.9	14.5	15.2	10.9	13.8	12.7
NW	11.5	7.7	9.3	10.7	10.7	11.4	10.8	8.5	10.0	9.7
NNW	1.2	5.7	0.6	10.8	0.6	8.5	0.5	7.5	0.7	8.3
Calm	7.7	---	2.1	---	0.3	---	4.6	---	3.7	---

IV. ANALYSIS

The San Francisco wind code is based on wind acceptability criteria defined in terms of "equivalent wind speed" (EWS). EWS denotes the mean hourly wind speed adjusted to account for the expected turbulence intensity or gustiness at the site. The wind speed limits in the code were developed with an inherent turbulence intensity of 15%. When the measured turbulence intensity at a point is greater than 15%, the equivalent wind speed is calculated by multiplying the mean velocity at the point by a weighting factor according to the following formula:

$$\text{EWS} = V_m (2 \cdot \text{TI} + 0.7) \text{ where:}$$

V_m = mean pedestrian-level wind speed

TI = turbulence intensity

For measured turbulence intensities less than 15%, EWS is taken to be equal to V_m .

Pedestrian Locations

Each wind-tunnel measurement results in a ratio that relates the speed of ground-level wind to the speed at the reference elevation, in this case the height of the Old San Francisco Federal Building. The frequency with which a particular wind velocity is exceeded at any test location is then calculated by using the measured wind-tunnel ratio and a specified ground speed to determine the corresponding reference wind speed for each direction. In general, this gives different reference speeds for each major directional component of the wind. The wind data for San Francisco are then used to calculate the percentage of the time that the specific ground-level wind speed is exceeded for each directional component. The sum of these is the total percentage of time that the specified ground-level wind speed is exceeded. A computer is used to calculate the total percentages for a series of wind speeds until the speed exceeded ten percent of the time is found, for each location.

The mean wind speeds are compared to the comfort criterion of 11 mph for pedestrian areas, not to be exceeded more than 10 percent of the time. Separate calculations evaluate compliance with the hazard criterion. The wind data observed at the Old San Francisco Federal Building are not full hour average speeds as specified by the Code, so it is necessary to adjust the equivalent speeds to obtain the hourly average of 26 mph.³

The wind speed that would be exceeded 10% of the time at each measuring location is shown in Table 2. The locations of measurement points are shown in Figure 3. Sidewalks are pedestrian locations where the 11 MPH comfort criterion is applicable. There are no nearby public plazas or sitting areas where the more stringent 7 MPH comfort criterion applies, but the sitting area criterion has been applied to rooftop interior plaza space within the project to evaluate the usability of that space.

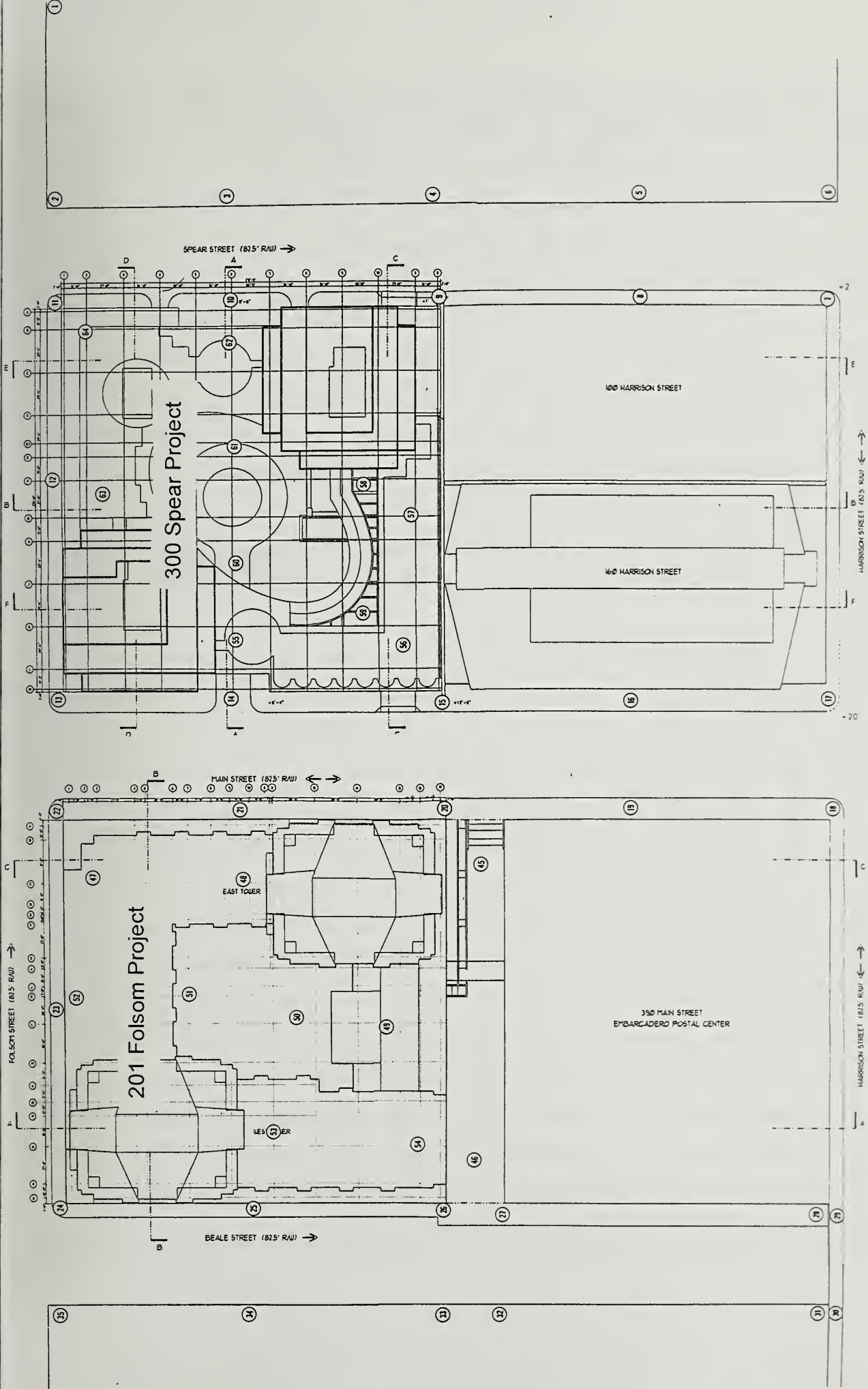


Figure 3: Measurement Point Locations

Table 2: Wind Speed Exceeded 10% of the Time

Point	Standard	Existing	Project	Local Cumul.	IS Cumul.	Transbay Cumul.
1	11	10	13	13	13	9
2	11	7	13	13	14	9
3	11	7	15	16	16	10
4	11	12	14	15	14	5
5	11	11	11	12	11	4
6	11	9	8	9	8	6
7	11	8	12	13	8	6
8	11	5	14	14	12	6
9	11	11	13	13	14	6
10	11	8	11	12	10	6
11	11	6	16	17	18*	6
12	11	7	13	13	14	6
13	11	11	11	11	11	7
14	11	11	12	14	14	5
15	11	8	14	14	16	4
16	11	16	17	13	14	4
17	11	12	12	12	11	3
18	11	8	9	10	7	3
19	11	6	8	8	6	3
20	11	9	11	9	9	5
21	11	11	12	12	11	7
22	11	9	10	14	15	7
23	11	11	10	13	12	8
24	11	13	14	15	15	11
25	11	9	10	13	14	12
26	11	8	10	16	16	11
27	11	10	11	14	15	10

Predicted wind exceeding comfort standards are shown in **bold**.

* Denotes location exceeding the hazard criterion.

Table 2: Wind Speed Exceeded 10% of the Time (Cont.)

Point	Standard	Existing	Project	Local Cumul.	IS Cumul.	Transbay Cumul.
28	11	10	11	15	14	10
29	11	11	13	14	14	10
30	11	10	10	12	14	9
31	11	10	11	11	11	6
32	11	9	11	13	13	9
33	11	9	10	14	15	9
34	11	7	8	13	13	10
35	11	14	14	13	13	11
36	11	12	13	12	11	14
37	11	12	12	12	12	12
38	11	5	4	9	10	4
39	11	5	7	9	10	9
40	11	9	7	9	9	7
41	11	3	11	12	12	5
42	11	6	13	13	13	9
43	11	11	11	16	14	13
44	11	8	12	12	12	4
55	7	-	-	-	8	3
56	7	-	-	-	18	6
57	7	-	-	-	13	10
58	7	-	-	-	4	3
59	7	-	-	-	8	4
60	11	-	-	-	14	6
61	11	-	-	-	8	4
62	7	-	-	-	11	5
63	7	-	-	-	19	7
64	7	-	-	-	17	5

Predicted wind exceeding comfort standards are shown in **bold**.

* Denotes location exceeding the hazard criterion.

Table 3 shows the calculated frequency of winds above 11 MPH for all locations that exceed the pedestrian comfort criteria for one or more of the scenarios tested.

Existing Conditions

No violations of the wind hazard code were measured for the existing scenario. The range of ground-level wind speeds was 3 to 16 mph. Exceedances of the pedestrian comfort criterion were found at 7 of the 44 measurement locations for existing conditions.

Existing + Proposed 300 Spear Project

No violations of the wind hazard code were measured. The project generally increased wind, with 33 points having increased wind, 4 points having decreased wind and 7 points having unchanged winds. The range of ground-level wind speeds was 4 to 17 mph. The number of ground-level locations exceeding the comfort criterion was 21 of 44.

Existing + Project + Proposed 201 Folsom Project (Local Cumulative)

No violations of the wind hazard code were measured. The range of ground-level wind speeds was 8 to 17 mph. The number of ground-level locations exceeding the comfort criterion was 35 of 44.

Existing + Initial Study Design + 201 Folsom Initial Study Design (IS Cumulative)

Under this scenario the wind hazard criterion was exceeded at location 11 at the southwest corner of the Folsom/Spear intersection. The hazard criterion was just exceeded, as the predicted frequency of winds in excess of 26 MPH (hourly average) is 1.24 hours per year, only slightly above the 1.0 hours per year that is the standard.

The range of ground-level wind speeds was 6 to 18 mph. The number of ground-level locations exceeding the comfort criterion was 29 of 44.

Existing + Project + 201 Folsom Project + Transbay Terminal Redevelopment (Transbay Cumulative)

No violations of the wind hazard code were measured. This scenario drastically decreases winds both at ground level and at rooftop open space. Under this scenario, 4 out of 44 ground-level would exceed the comfort criterion. The range of ground-level wind speeds was 3 to 14 mph.

Rooftop Open Space

Winds in the newly created pedestrian space (points 60-61) and interior rooftop plazas (points 55-59 and 62-64) were measured in the Initial Study Cumulative model run. In general winds in these spaces were above the appropriate comfort criterion. It was apparent that the relatively strong winds in these spaces were due to the overall project

massing and the lack of any nearby sheltering structures north and west of the project site. Tests for these measurement locations were not repeated for the Proposed 300 Spear Project or Local Cumulative runs because the massing of the project had not significantly changed and the overall exposure of the site would be expected to result in windy conditions similar to that found for the Initial Study Cumulative run.

The exposure of the site is drastically reduced in the Transbay Cumulative case. Winds in the newly created pedestrian space (points 60-61) and interior rooftop plazas (points 55-59 and 62-64) would generally meet the appropriate comfort criterion.

Table 3: Frequency of Winds Greater Than 11 MPH (% of time)

Point	Existing	Project	Local Cumul.	IS Cumul.	Transbay Cumul.
1	3.93	16.35	14.10	15.52	1.81
2	0.19	16.02	10.28	20.32	1.91
3	0.42	21.25	25.18	26.71	4.70
4	15.05	18.25	22.68	17.78	1.94
5	8.07	7.89	11.98	7.14	0.22
7	3.43	14.53	14.69	4.87	0.51
8	0.03	18.54	20.84	10.01	0.28
9	9.87	15.91	15.04	18.30	0.04
10	0.42	14.7	19.76	6.98	0.51
11	0.01	26.80	36.02	32.92	0.28
12	0.26	14.91	18.27	20.85	0.43
13	9.00	8.08	7.37	8.07	0.55
14	7.57	13.78	20.20	21.60	0.00
15	2.67	18.19	21.98	26.33	0.00
16	26.74	32.75	15.87	20.01	0.00
17	13.34	14.00	8.95	8.23	0.00
18	1.33	5.21	4.74	0.53	0.00
19	1.44	2.02	4.03	0.00	0.04
21	8.18	10.96	10.01	9.52	0.45
22	3.16	4.88	19.88	24.44	0.67
23	8.52	4.06	13.50	12.27	2.52
24	14.93	18.66	17.65	17.60	9.27
25	1.31	5.20	20.72	22.31	10.36
26	0.94	2.24	27.49	27.22	9.63
27	3.87	9.04	22.85	23.44	4.66
28	5.56	9.87	21.40	20.43	2.80
29	9.17	18.18	23.47	22.09	5.12
30	5.87	7.04	17.59	19.96	1.34
32	3.90	7.90	20.16	15.37	1.88
33	2.93	5.16	16.70	21.60	1.67

Table 3: Frequency of Winds Greater than 11 MPH (% of Time) (Cont.)

Point	Existing	Project	Local Cumul.	IS Cumul.	Transbay Cumul.
34	0.31	1.53	16.70	15.86	5.36
35	19.49	20.17	15.59	14.72	9.16
36	11.56	14.53	11.59	9.66	20.36
37	12.38	13.66	10.69	11.34	12.62
39	0.00	0.86	3.07	4.40	4.58
41	0.00	9.20	10.39	10.77	0.43
42	0.00	16.21	29.02	16.10	2.05
43	8.35	8.90	22.35	18.21	15.76
44	1.63	11.33	10.93	10.24	0.00

V. RECOMMENDATIONS

Based on the wind tunnel tests for the Initial Study Design, it is apparent that the newly created courtyards and outdoor rooftop decks within the project have winds well in excess of the 7 MPH sitting area comfort criterion. This is not unexpected because the project site is exposed to prevailing winds. This space should be landscaped to reduce wind and improve usability. Porous materials or structures (vegetation, hedges, screens, latticework, perforated or expanded metal) offer superior wind shelter compared to a solid surface. Outdoor sitting or eating areas will need substantial wind shelter. Wind sheltering elements should have sufficient height to shelter the area in question (wind shadows behind porous wind screens or shelter belts provide shelter a distance downwind equivalent to 3-5 times the height of the wind screen). Given the strong winds predicted, vegetation will need to be wind-tolerant and wind-sheltering structures need to be securely anchored and designed to withstand strong winds until anticipated development of up-wind areas reduces the exposure of the rooftop space.

1. Edward Arens, Designing for an Acceptable Wind Environment, Transportation Engineering Journal, March 1981.
2. E. Jan Null, Climate of San Francisco, Report No. NOAA-TM-NWS WR-126, 1978.
3. Arens, E., "Designing for Acceptable Wind Environment," Transactions Engineering Journal, ASCE 107, No. TE 2, 1981, pp. 127-141.

